United Nations S/2006/36

Security Council

Distr.: General
23 January 2006

Original: English

Letter dated 20 January 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1647 (2005) concerning Liberia. In paragraph 9 of the resolution, the Council re-established the Panel of Experts appointed pursuant to Security Council resolution 1607 (2005) for a further period until 21 June 2006 to undertake the tasks set out in subparagraphs 9 (a) through (f) of resolution 1647 (2005). In paragraph 10 of that resolution, the Council requested me to appoint, in consultation with the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, no more than five experts with the appropriate expertise, in particular on arms, timber, diamonds, finance and humanitarian and socio-economic issues.

Accordingly, I wish to inform you that, taking into account the requirements set out in resolution 1647 (2005), including that I draw as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1607 (2005), I have appointed the following five experts:

Arthur Gregory Blundell (Canada)

Damien Callamand (France)

Caspar Fithen (United Kingdom of Great Britain and Northern Ireland)

Tommy Garnett (Sierra Leone)

Rajiva Bhushan Sinha (India)

I have also designated Arthur Blundell to serve as the Chairman of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

06-21699 (E) 240106

United Nations S/2006/37

Security Council

Distr.: General
20 January 2006

Original: English

Letter dated 16 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the agreement between the President of Somalia and the Speaker of the Somali Parliament, issued on 11 January 2006 by the Presidency on behalf of the European Union (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Gerhard **Pfanzelter**
Permanent Representative of Austria to the United Nations

06-21614 (E) 240106

Annex to the letter dated 16 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

[Original: English, French and Spa

Statement on the agreement between the President of Somalia and the Speaker of the Somali Parliament, issued on 11 January 2006 by the Presidency on behalf of the European Union

The European Union warmly welcomes the Statement issued jointly in on 5 January 2006 by President Abdullahi Yusuf Ahmed of the Somali Republi the Speaker of the Transitional Federal Parliament of Somalia, Sharif Hassan Sh Aden, and commends President Ali Abdalla Salah of the Republic of Yemen fo facilitation of their discussions.

The European Union is greatly encouraged to note that the parties were gu by the Transitional Federal Charter as well as by their undertaking to conve session of Parliament within 30 days. The European Union reiterates its unwav and unequivocal support for the Transitional Federal Institutions as the legitimate framework for fostering political dialogue, stability and governan Somalia.

The European Union calls on all members of the Transitional Fe Parliament and Government to respond actively and positively to this in initiative of the President and the Speaker and reaffirms its willingness to pro logistical and financial support, as necessary and appropriate, to facilitate the of Parliament inside Somalia.

The acceding countries Bulgaria and Romania, the candidate cou Croatia,* the former Yugoslav Republic of Macedonia* and Turkey, the countri the stabilization and association process and potential candidates Albania, B and Herzegovina, Serbia and Montenegro, and the European Free Trade Associ countries Iceland, Liechtenstein and Norway, members of the European Econ Area, as well as Ukraine and the Republic of Moldova align themselves with statement.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the stabilizati and association process.

United Nations S/2006/38

Security Council

Distr.: General
20 January 2006

Original: English

Letter dated 16 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement in response to the announcement by the Maoists in Nepal of the end of the unilateral ceasefire, issued on 9 January 2006 by the Presidency on behalf of the European Union (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Gerhard **Pfanzelter**
Permanent Representative of Austria to the United Nations

06-21620 (E) 240106

Annex to the letter dated 16 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement in response to the announcement by the Maoists in Nepal of the end of the unilateral ceasefire issued on 9 January 2006 by the Presidency on behalf of the European Union

The European Union deeply regrets the announcement by the Maoists in Nepal (Communist Party of Nepal (Maoist)) of the end of their ceasefire. The Union has consistently called (most recently in the statement of the Presidency of 31 December 2005) for the Maoists to put a definitive end to violence and other human rights abuses, as well as the disruption of development work, and had been encouraged by the ceasefire and the agreement reached with the seven party political alliance. The decision to end the ceasefire is a retrograde step.

The European Union notes that the ceasefire declared by the Maoists had been welcomed by the people of Nepal and is deeply disappointed by the failure of the Government of Nepal to respond to this strong desire for peace by announcing a truce.

The critical need remains for all parties to take immediate steps for complete cessation of hostilities and to work towards an inclusive national dialogue in Nepal with a view to resolving the underlying causes of the conflict peacefully.

The European Union reminds all parties to the conflict of the importance of human rights and the need to respect their obligations under international humanitarian law.

The acceding countries Bulgaria and Romania, the candidate countries Croatia,* the former Yugoslav Republic of Macedonia* and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro, and the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this statement.

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* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the stabilization and association process.

United Nations S/2006/39

Security Council

Distr.: General
20 January 2006

Original: English

Letter dated 20 January 2006 from the Permanent Representative of Timor-Leste to the United Nations addressed to the Secretary-General

I have the honour, upon instruction from my Government, to submit to you a copy of a letter (see annex) signed by His Excellency Mr. Mari Bim Amude Alkatiri, Prime Minister of the Democratic Republic of Timor-Leste, requesting the establishment in Timor-Leste of a special political office. I would highly appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) José Luis **Guterres**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

06-21608 (E) 200106

Annex to the letter dated 20 January 2006 from the Permanent Representative of Timor-Leste to the United Nations addressed to the Secretary-General

I am writing to you today in regard to Timor-Leste's continuing challenges and requirements.

Following consultations with President Xanana Gusmão, I am prepared to inform Your Excellency that we agree that the current United Nations Office in Timor-Leste (UNOTIL) should come to an end on 20 May 2006.

However, in view of the political consolidation, which the elections are part of, namely the planned elections for the National Parliament and Presidency in 2007, we would like to request that the United Nations consider establishing in Timor-Leste a special political office with the following components:

1. Electoral assistance to provide the Government with technical and logistical support.

2. Civilian advisers. As Your Excellency is aware, while we have made continuing progress during the UNOTIL mandate, there are critical areas that remain in need of secured and steady assistance, namely, in the justice and finance sectors.

3. Timor-Leste still needs support in the area of police training. Although, this can be provided through bilateral arrangements it is important to keep United Nations involvement in the training programme. Also, in view of the forthcoming elections in 2007 and the need to ensure an enhanced dialogue and cooperation between East Timorese and Indonesian security elements in order to prevent tensions and conflicts along the border, we believe the deployment of some 15 to 20 military liaison personnel as part of the special political office would be of crucial importance.

We have come a long way since the dark days of September 1999. The progress would not have been possible without your leadership and the steady commitment of our friends in the international community, but much remains to be done. Hence, we hope that our modest request will be positively considered.

In the meantime, we are planning a celebratory event on 19 and 20 May 2006, to bid farewell and to thank the United Nations and our friends as the current Mission comes to a close after nearly six years. We hope Your Excellency will honour us with your presence on that occasion for which invitations will be sent to leaders of Governments and agencies who have made significant contributions to the United Nations efforts in Timor-Leste since 1999.

(*Signed*) Mari **Alkatiri**
Prime Minister

United Nations S/2006/40

Security Council

Distr.: General
23 January 2006

Original: English

Letter dated 20 January 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 29 December 2005, which I received from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina (see annex).

I should be grateful if the present letter and its annex could be brought to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

06-21693 (E) 230106

Annex

Letter dated 29 December 2005 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

I am writing further to the recent meeting of the Steering Board of the Peace Implementation Council, to inform you that Dr. Christian Schwarz-Schilling of the Federal Republic of Germany has been chosen to succeed me as High Representative for Bosnia and Herzegovina.

The transfer between Dr. Schwarz-Schilling and myself will take place on 31 January 2006.

Dr. Schwarz-Schilling's knowledge of Bosnia and Herzegovina is considerable. As you will recall, he served as the International Mediator here for 10 years, was a member of the German Parliament for 26 years and of the German Government for 10 years.

I am informed that this information should be passed on to the Security Council for their consideration and possible agreement.

May I also take this opportunity to thank you personally for the support and assistance you have given to me since I took up this position in May 2002.

(*Signed*) Paddy **Ashdown**

United Nations S/2006/41

Security Council

Distr.: General
23 January 2006
English
Original: French

Draft resolution

The Security Council,

Recalling its previous resolutions and statements of its President relating to the situation in Côte d'Ivoire and in the subregion,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and *recalling* the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the final communiqué of the International Working Group (IWG) of 15 January 2006, and *reaffirming* the mandate of the IWG to assist the Prime Minister and his Government in the implementation of the road map it has established, and to evaluate, monitor and follow up closely the implementation of the peace process, in accordance with resolution 1633 (2005),

Taking note of the report of the Secretary-General dated 3 January 2006 (S/2006/2),

Expressing its serious concern at the persistence of the crisis in Côte d'Ivoire and of obstacles to the peace and national reconciliation process from all sides,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the respective mandates of the United Nations Operation in Côte d'Ivoire (UNOCI) and of the French forces which support it shall be extended until 15 December 2006;

2. *Decides* to extend the provisions of paragraph 3 of resolution 1609 (2005) for the period specified in paragraph 1 above;

3. *Expresses* its intention to keep under review the tasks and the troop level of UNOCI, and specifically to review these when the Security Council considers the forthcoming report of the Secretary-General on the United Nations Mission in Liberia, taking into account the situations in both Côte d'Ivoire and Liberia, in the light of the progress in the implementation of the road map established by the International Working Group, in order to lead to the organization of free, fair, open and transparent elections no later than 31 October 2006;

4. *Decides* to remain actively seized of the matter.

06-22008 (E) 240106

United Nations S/2006/42

Security Council

Distr.: General
23 January 2006

Original: English

Report by the Secretary-General concerning the credentials of the alternate representatives of the United Kingdom of Great Britain and Northern Ireland on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 9 January 2006 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations stating that David Whineray and Nicholas Williams have been appointed alternate representatives of the United Kingdom on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

06-21822 (E) 230106

United Nations S/2006/43

Security Council

Distr.: General
23 January 2006
English
Original: French

Letter dated 20 January 2006 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to bring to your kind attention a number of serious misunderstandings regarding the implementation of Security Council resolution 1633 (2005), misunderstandings which, unless we are careful, could seriously endanger the peace process.

As you are aware, the above-mentioned resolution clearly defines the mandate entrusted to the International Working Group, which is to monitor the implementation of the peace process.

However, at its very first meeting, held on 8 November 2005, in Abidjan, the Group deliberately deviated from its mission by reinterpreting the provisions of the resolution, in particular when it stated that the Prime Minister must have "independent executive powers", which is not only contrary to the terms of the above-mentioned resolution, but would also install thereby an ineffectual and emasculating diarchy at the helm of the Ivorian State.

Resolution 1633 (2005) is perfectly clear on this point when it states that "the Prime Minister must have all the necessary powers according to the Linas-Marcoussis Agreement ..." This clearly refers to the powers necessary for the discharge of a quite specific mandate, namely, disarmament, reunification of the country, establishment of electoral lists and the organization of fair and transparent elections.

At the conclusion of its third meeting, held on 15 January 2006, the International Working Group continued with this approach by issuing a communiqué with the same tenor as the first, which, with reference to the situation of the National Assembly, stated in substance:

> "The International Working Group has concluded that the mandate of the National Assembly, which expired on 16 December 2005, should not be extended. Nevertheless, during the transitional period, the International Working Group recommends that the Prime Minister, in consultation with the Head of State, and drawing on the experience of former deputies, may, at his discretion, entrust them with specific missions aimed at promoting peace and national reconciliation".

This communiqué led to the well-publicized protests in Abidjan and a number of towns in the interior of the country since, by adopting this position, the

06-21828 (E) 240106 240106

International Working Group, as it had done on 8 November 2005, exceeded its mandate with respect to the functioning of our national institutions. Resolution 1633 (2005) in fact states as follows:

The Council " [...] invites the International Working Group, noting that the mandate of the National Assembly will end by 16 December 2005, to consult with all the Ivorian parties [...] with a view to ensure that the Ivorian institutions function normally until the holding of the elections in Côte d'Ivoire ..."

Opposing the extension of the mandate of the National Assembly, one of the key institutions of the country and of any democracy, is certainly not a contribution to the normal functioning of institutions.

It should be recalled that during the consultations of the Ivorian parties in preparation for the meeting of 15 January 2006, the International Working Group had been thoroughly briefed on the views of the different parliamentary groups on the issue and, in particular, on the views expressed by the Constitutional Council on 15 December 2005, all in favour of extending the mandate of the National Assembly. We should also note that the decision of the International Working Group of 15 January 2006 also has the effect of disregarding the views of the Constitutional Council, which is another national institution that contributes to the balance of powers in a democracy.

Following the negotiations that took place on 18 January 2006, with Olusegun Obasanjo, the current Chairperson of the African Union, representing the international community, the role of the International Working Group was further clarified, as indicated in this passage of the communiqué that was issued at the conclusion of the above-mentioned negotiations:

"1. The International Working Group has no authority to dissolve the National Assembly;

2. The International Working Group did not dissolve the National Assembly at the conclusion of its meeting of 15 January 2006;

3. We invite the President of the Republic and the Prime Minister to continue their consultations with a view to reaching a political settlement in the days ahead."

Following the issuance of this communiqué, the leaders of the political parties and civil society movements who had launched the protests appealed for calm and by the evening of 19 January 2006 order had been restored.

In view of the foregoing, it is surprising that the Security Council, in the statement by its President of 19 January 2006 (S/PRST/2006/2), following the mediation of President Obasanjo and the return to calm, should "endorse the final communiqué of the International Working Group of 15 January 2006", in other words, the communiqué that was at the root of the disturbances. Due reservation expressed by the Security Council with respect to the communiqué was quite rightly highlighted, a fact that the final communiqué issued after the above-mentioned negotiations focused on exclusively, and served to convince Ivorians of the invariable consistency between the positions adopted by the African Union and those of the United Nations, as well as of the continued willingness of the international community to provide support for the effort to restore peace in Côte d'Ivoire.

In any event, my Government will on this issue respect the outcome of the negotiations undertaken by the Chairperson of the African Union.

We hope that the International Working Group will in future abide strictly by the terms of resolution 1633 (2005), which has given it a clearly defined mandate. Only thus will we be able, through dialogue between the Ivorian parties and with the welcome assistance of the international community, to achieve lasting peace in the country.

I should be grateful if you would arrange for this letter to be circulated as a document of the Security Council.

(*Signed*) Philippe **Djangone-Bi**
Ambassador

United Nations S/2006/44

Security Council

Distr.: General
24 January 2006

Original: English

Letter dated 20 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the serious incidents in Côte d'Ivoire, issued on 19 January 2006 by the Presidency on behalf of the European Union (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Gerhard **Pfanzelter**
Permanent Representative of Austria to the United Nations

06-22070 (E) 250106

Annex to the letter dated 20 January 2006 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the serious incidents in Côte d'Ivoire issued on 19 January 2006 by the Presidency on behalf of the European Union

The European Union resolutely condemns the orchestrated acts of violence that have been taking place in Côte d'Ivoire, particularly in Abidjan, since Monday 16 January, and also the attacks on the United Nations Operation in Côte d'Ivoire (UNOCI) contingent. These acts constitute a serious impediment to the peace process.

The European Union calls on all political players to bring these unacceptable acts to an end immediately and requests that all necessary measures be taken to ensure the safety of the international and diplomatic presence.

The European Union, which is a member of the International Working Group, reiterates its full support for Prime Minister Konan Banny with a view to the successful completion of the transition process initiated by the African Union in accordance with United Nations Security Council resolution 1633 (2005), which is binding on all parties in Côte d'Ivoire. The fundamental aim of this process is the holding of uncontestable elections in Côte d'Ivoire by 31 October 2006.

The acceding countries Bulgaria and Romania, the candidate countries Croatia,* the former Yugoslav Republic of Macedonia* and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this statement.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the stabilization and association process.

United Nations S/2006/45

Security Council

Distr.: General
25 January 2006

Original: English

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999) of 10 June 1999, by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested the Secretary-General to report at regular intervals on the implementation of the mandate. It covers the activities of UNMIK and developments in Kosovo, Serbia and Montenegro, from 23 May 2005 to 31 December 2005. The report focuses on developments since my letter of 7 October 2005 to the President of the Security Council (S/2005/635), to which I attached a comprehensive review of the situation in Kosovo prepared by Ambassador Kai Eide. Attached to the present report is the technical assessment of standards implementation prepared by my Special Representative, Søren Jessen-Petersen (see Annex I).

II. Political assessment

2. The comprehensive review, conducted from June to September of 2005, has encouraged the Kosovo Provisional Institutions of Self-Government (Provisional Institutions) to make some progress on both the implementation of the standards for Kosovo and on a number of other important processes, including dialogue between communities and reform of local government. Following the completion of the comprehensive review, the Security Council decided, on 24 October 2005 (see S/PRST/2005/51) to launch a political process designed to determine Kosovo's future status as foreseen in Security Council resolution 1244 (1999). On 10 November, the Council endorsed the appointment of Martti Ahtisaari as my Special Envoy for the future status process (see S/2005/709). Mr. Ahtisaari held initial consultations in the region, including in Kosovo, from 21 to 27 November 2005. Since then, the Kosovo Albanian leaders have made significant progress in preparations for the status process. However, progress by Kosovo's Provisional Institutions and the Kosovo Albanian leadership on standards implementation and on other major political processes has been too slow.

3. Throughout the reporting period, UNMIK concentrated its activities ensuring a continuing focus by the Government of Kosovo on the implementation of standards, technical dialogue with Belgrade, reconstruction of Serbian Orthodox religious

06-21291 (E) 300106

heritage, decentralization, further transfer of competencies in the rule of law sector, and assessing and improving Kosovo's internal security architecture. UNMIK has started to adapt its structures to this new phase. Without prejudice to the outcome of the political process, my Special Representative initiated technical planning, together with partner organizations, for a possible international presence in Kosovo following the determination of its future status.

A. Political process

4. In September 2005, President Ibrahim Rugova moved to establish a negotiating team, comprising himself, the Prime Minister, the President of the Assembly and the leaders of the two main Kosovo Albanian opposition parties. Following initial difficulties, the negotiating team met for the first time on 6 October and established a political group to prepare specific position papers. Kosovo Albanian political and institutional leaders have welcomed the guiding principles of the Contact Group for a settlement of the status of Kosovo that were sent to President Rugova by the Contact Group on 5 November (S/2005/709, annex). At a plenary meeting on 17 November, the Kosovo Assembly unanimously adopted a resolution reconfirming the political will of the people of Kosovo for an independent and sovereign state of Kosovo. The resolution provided a mandate to the delegation of Kosovo for the future status process. A similar resolution was adopted by the Parliament of Serbia and Montenegro in Belgrade on 21 November. On 22 November, the Kosovo negotiating team met with my Special Envoy and submitted a document outlining its platform for status negotiations, including its commitment to equal rights for the majority and minority communities based on the rule of law. My Special Representative has repeatedly stressed that it is essential to involve civil society, women's groups and, in particular, minority community representatives in this process to ensure that they have a say in designing the future of Kosovo. On 9 December, the negotiating team established a Consultative Committee for Minorities, which will provide advice on minority issues. Overall, the team and its political group seem to be making progress in preparing Pristina for the status process, although detailed proposals on specific issues have yet to be agreed.

B. Kosovo Serb participation in the political process and the Provisional Institutions

5. During the reporting period, there has been a decline in the participation of Kosovo Serb leaders in the political process. Representatives of the Serbian List for Kosovo and Metohija (SLKM), the main Kosovo Serb party, remained outside the Provisional Institutions. Meanwhile, the Serbian National Council of North Kosovo (SNCN) has engaged more actively with UNMIK and has tried to fill the gap left by the SLKM as the main local interlocutor of the international community. The appointment in mid-September of a new head of the Serbian Coordination Centre for Kosovo, Sanda Raskovic-Ivic, was seen as an expression of the intention of the Belgrade authorities to take a more assertive role in political decisions relating to Kosovo and in promoting their implementation through the Centre's coordinators on the ground.

III. Security situation

6. The security situation in Kosovo, while generally stable, remains fragile. Violent incidents have continued, including several attacks on the police, the most significant of which, the shooting of the sentor-most Kosovo Serb officer of the Kosovo Police Service (KPS), took place on 28 September. On 30 November, a Kosovo Serb student reported a gunshot wound after a drive-by attack, which led to demonstrations and inter-ethnic attacks in the Kosovo Serb majority area of Gracanica near Pristina. The injury sustained by the student was later reported to have been self-inflicted. On 3 December, a rocket-propelled grenade hit a bus en route to Belgrade with 11 passengers on board (7 Kosovo Albanians, 3 Bosniaks and a Kosovo Serb), but failed to explode. Persistent reports have also been received of illegal checkpoints being set up at remote locations at night by armed, uniformed men. These incidents contribute to creating a perception of insecurity, most particularly for members of minority communities. It should be noted that criminal, rather than ethnic, motives may be at the origin of some of the recent incidents. Moreover, it seems likely that some of the incidents are connected to the initiation of the future status process and are designed to influence it. My Special Representative has directed the UNMIK Police Commissioner to take stringent measures to enhance the security of all the people of Kosovo, including increased mobile and foot patrols as well as vehicle checkpoints throughout Kosovo.

IV. Standards

7. During the reporting period, progress in the implementation of the standards has been too slow. On the positive side, there was an increase in minority employment by the central Government and in the Kosovo Protection Corps (KPC). KPC also carried out extensive humanitarian and reconstruction projects that benefited all of Kosovo's communities. Despite a number of security incidents, freedom of movement improved. The first phase of reconstruction works on Serbian Orthodox churches damaged during the violent events of March 2004 was completed. Projects to facilitate returns were initiated or planned in a majority of Kosovo's municipalities. The 2006 Kosovo consolidated budget was adopted on schedule, the budget management process was strengthened throughout 2005 and a letter of intent was negotiated with the International Monetary Fund (IMF). The privatization process moved forward rapidly and steps were taken to improve the protection of property rights.

8. At the same time, there were delays or setbacks in the implementation of all standards, with the exception of property rights and KPC. Urgent progress is needed to enable the Kosovo Assembly to become a central forum for democratic debate. Respect for and consolidation of an effective, independent civil service in Kosovo is essential. The Kosovo Assembly has yet to nominate members for anti-corruption institutions. Intimidation of justice system staff has increased. Security incidents in the late summer temporarily affected the freedom of movement of minority communities. The rate of returns remains very low. While uncertainties surrounding the future status process inevitably act as a disincentive for internally displaced persons to return to Kosovo, Kosovo's Provisional Institutions have yet to take essential actions to enable those wishing to return to do so. The Government in

Belgrade should contribute to the returns process by signing the protocol on returns agreed upon by the returns dialogue working group.

9. The fulfilment of Kosovo's long-term European perspective requires effective standards implementation. A new European Partnership document for Kosovo, within the European Union's broader stabilization and association process for the Western Balkans, was adopted by the Union on 12 December. The partnership incorporates the standards as requirements for Kosovo's long-term European perspective, thereby underscoring that they must continue to be a central focus of efforts by the Provisional Institutions throughout and beyond the status process. The Kosovo government has begun to prepare mechanisms and structures geared towards achieving the objectives and requirements of the partnership document. At the same time, the existing UNMIK-Provisional Institutions standards working groups and monitoring and reporting structures for standards will remain in place and will be reinvigorated during the period before the determination of Kosovo's future status.

V. Decentralization

10. Despite some encouraging developments, progress in local government reform remained uneven. In August, my Special Representative signed an executive decision establishing the territorial delineation of five pilot municipal units, two in Kosovo Albanian, two in Kosovo Serb and one in Kosovo Turkish-majority areas. Three decentralization pilot projects were subsequently successfully launched in the Kosovo Albanian and Kosovo Turkish-majority areas, with support from UNMIK. Although the Assemblies of these three pilot municipal units lack adequate premises, they met regularly. However, the establishment of the Kosovo Serb-majority pilot municipal units has been held up by the refusal by Kosovo's Provisional Institutions to map out units that would be dominated overwhelmingly by a Kosovo Serb majority, particularly in the case of the unit in Gracanica, as well as by Kosovo Serb insistence that two of the units must be overwhelmingly Kosovo Serb before they will consider participation. A Ministerial-level meeting held in Vienna on 16 September between representatives from Pristina and Belgrade focused on the longer-term perspectives of the reform of local government in Kosovo. The joint UNMIK-Provisional Institutions structures, consisting of a steering board and five working groups set up in February 2005, continued to work on the main areas of the reform of local government: legislation, local finance, pilot projects, capacity-building and transfer of competencies. Some progress, albeit uneven, was made in all these areas. The Kosovo Serb representatives, after initially participating, withdrew from the process in August and returned to some of the working groups only at the very end of 2005.

VI. Dialogue

11. During the reporting period, dialogue between Pristina and Belgrade showed small signs of progress at the political level, but stagnated at the technical level. At the political level, in addition to the Ministerial-level meeting in Vienna on decentralization, the respective Ministers of Culture met in Belgrade on 23 September and held a follow-up meeting in Bulgaria on 8 and 9 December. At

the technical level, the four direct dialogue working groups for technical cooperation continued to meet alternately in Pristina and Belgrade on the issues of energy, missing persons, returns, and transport and communications. However, progress has been limited since September and, with the initiation of the future status process, the parties have become increasingly reluctant to engage constructively in direct dialogue. While dialogue on technical cooperation has built a degree of trust between participants and has promoted formal and informal discussion between members of the delegations, there has been little if any trickle-down effect to the Kosovo public. This is, to a certain degree, the result of a lack of high-level attention to and support of the important work of its delegations by the Kosovo government as well as to a lack of appropriate technical preparation of those delegations, thus affecting not only the current technical processes, but also, potentially, the broader aspects of the dialogue. For their part, the authorities in Belgrade have not engaged with UNMIK or the Provisional Institutions to any noticeable degree on practical issues that could improve the conditions of the Kosovo Serbs.

VII. Serbian Orthodox cultural and religious heritage

12. Work on repairing and protecting the Serbian Orthodox cultural and religious heritage proceeded well and became one of the principal areas of contact between the Provisional Institutions and Kosovo Serb representatives. Reconstruction work on Serbian Orthodox churches damaged in March 2004 began on 10 October, under the auspices of the joint Reconstruction Implementation Commission, chaired by the Council of Europe. A first phase of consolidation and protection of 30 cultural heritage sites, funded almost entirely by the Provisional Institutions, was completed at the end of 2005. More extensive work is scheduled to continue in the spring of 2006. The executive decision of my Special Representative on the establishment of a special zoning area in and around the Decani Canyon area, where the Serbian Orthodox Visoki Decani Monastery is located, was welcomed by the Serbian Orthodox Church. Following a donor conference held in May of 2005, the United Nations Educational, Scientific and Cultural Organization (UNESCO) held the first session of the Experts Committee on the Rehabilitation and Safeguarding of the Cultural Heritage in Kosovo in Paris on 9 December. The Committee decided to implement 14 projects totalling over $3 million and to coordinate its work closely with the Reconstruction Implementation Commission, UNMIK and the Provisional Institutions.

VIII. Transfer of further competencies in the rule of law sector and internal security sector review

13. UNMIK has moved ahead with the transfer of further competencies to the Provisional Institutions, particularly in the field of rule of law and security, where local involvement is crucial to success in the fight against crime. Five out of six regions in Kosovo now have Kosovo Police Service commanders and all 33 police stations have now undergone the transition to operational control of the Service. In addition, several prisons and detention centres now have local directors. The promulgation in December 2005 of an UNMIK regulation establishing new Ministries of Justice and Internal Affairs marked a key step forward. My Special

Representative will closely monitor appointments to these ministries to ensure that they are made on the basis of merit and in accordance with the law. In this first stage, the ministries are given legal, technical, financial and administrative responsibilities in relation to police and justice. Transfer of more important responsibilities, such as operational control over the Kosovo Police Service and the Kosovo Correctional Service, will take place only after, and conditional upon, a positive assessment by my Special Representative of the performance by the new ministries in the first three months of their existence. If the outcome of the collaboration proves to be positive, the next step of the transfer will include the appointment of a Deputy Kosovo Police Service Police Commissioner, who will work directly under the guidance of the Minister of Internal Affairs, although still subject to the overall authority of the UNMIK Police Commissioner and my Special Representative. In this context, a regulation has been signed on the framework and guiding principles of the Kosovo Police Service, which provides a sound legal and ethical basis for a transitioned Service. This regulation also provides guarantees for minorities and paves the way for the creation of other new Kosovo institutions in the field of public safety such as the Police Inspectorate and the Kosovo Academy for Public Service Education and Development. Considerable work has also been done on the internal security sector review, a mechanism designed to develop an accountable, affordable internal security architecture for Kosovo, with the objective of integrating transferred and remaining reserved responsibilities into a coherent security system. My Special Representatives chaired the first meeting of the steering committee for the internal security sector review on 10 October.

IX. Possible future arrangements following the determination of the future status of Kosovo

14. The Contact Group's guiding principles for the future status process state that an international civilian and military presence will be required in Kosovo for some time in order to: carry out functions such as supervision of compliance with provisions of a future status settlement; ensure security and protection of minorities; and monitor and support the continued implementation of the standards. In October, my Special Representative initiated consultations with a view to preparing a technical assessment of the needs for the possible future international involvement in Kosovo, without prejudice to the outcome of the future status process. This assessment is being conducted by UNMIK together with its partner organizations, the European Union, the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO), as well as with the United Nations funds and agencies and bilateral donors present in Kosovo. It focuses on four main areas: rule of law; good governance; democratization, human rights and minority issues; and economic and fiscal issues. The participation of international partners in this mechanism is of considerable importance, given that their continued engagement in Kosovo will remain a key element in ensuring compliance with the provisions of an eventual status settlement and maintaining stability in Kosovo and the region.

X. Observations

15. I welcome the decision of the Security Council to launch a process designed to determine the future status of Kosovo. Kosovo's future status has become the main political issue in Kosovo and is being followed closely in the region. Kosovo's political leaders have made significant efforts to prepare for the future status process. They have established a negotiating team and adopted a political platform.

16. While I welcome these preparations for the future status process, I am seriously concerned that there have been delays or setbacks in most areas of standards implementation. Implementation of the standards by Kosovo's political leaders and institutions is an obligation to Kosovo's people and must be vigorously pursued. I strongly urge Kosovo's leaders to renew their efforts to ensure substantive, accelerated and sustainable progress in the implementation of the standards. Such progress will provide the international community with an important indication of the willingness of Kosovo's leaders to create the foundations for a sustainable multi-ethnic, democratic society, in which members of all communities can live in dignity and security. In addition, the results achieved in implementation of the standards will be an important factor in determining the pace and progress of the political process designed to determine Kosovo's future status. A demonstration of progress in key areas of standards implementation such as returns, dialogue and outreach to Kosovo's minority communities, as well as on decentralization, would also contribute to easing political tensions between communities.

17. It is equally important to ensure the active participation of Kosovo Serb leaders in Kosovo's institutions at the central and local level. To achieve this, the authorities in Belgrade need to encourage, rather than to discourage, the Kosovo Serb leaders to participate constructively in the Provisional Institutions, in particular on practical issues. This would enable them to convey their concerns, would contribute to concrete improvements in the living conditions of their community in Kosovo and would ensure that their interests are taken into account.

18. An important first step in this direction would be full Kosovo Serb participation, with the support of advisers nominated by the authorities in Belgrade, in the process of local government reform. I strongly urge the authorities in Belgrade to support and not oppose the full engagement of Kosovo Serbs in the Pristina-based decentralization process. I call on the leaders of the Provisional Institutions to effectively implement the pilot municipal units and to work on comprehensive local government reform. This process needs to move ahead now, so that it can feed into the future status talks.

19. Some progress was made in direct dialogue at the technical level on practical matters of mutual concern between Pristina and Belgrade, despite the recent hardening of positions on both sides. I welcome the first meetings at the Ministerial level between the representatives of Kosovo's Provisional Institutions and of the Government of Serbia and Montenegro on decentralization and cultural issues. I urge those concerned to move these discussions forward, as direct dialogue at both the political and technical levels is an essential vehicle to advance the political process. These exchanges should complement and reinforce the dialogue facilitated by my Special Envoy for the future status process, so as to create an environment of mutual trust and confidence.

20. The overall number of refugees and internally displaced persons returning to Kosovo continues to be very low. I call on Kosovo's leaders at both the local and central levels to redouble their efforts to unreservedly reach out to minority communities, in particular the Kosovo Serbs, and to demonstrate their support to those wishing to return. By clearly demonstrating their political and financial commitment to returns, Kosovo's leaders can contribute to easing political tensions between communities and can deliver concrete results for all in Kosovo. At the same time, I call on the authorities in Belgrade to work constructively with UNMIK on practical matters that can improve living conditions and prospects for those members of the Serb community who remain in Kosovo.

21. The increase in serious security incidents, including of incidents that may have targeted Kosovo Serbs for ethnic reasons, is a further cause for concern. The perpetrators of these crimes, whatever their motive, should be condemned in the strongest possible terms. I call on Kosovo's leaders and its institutions to work closely with UNMIK to ensure that those responsible are brought to justice.

22. As we enter into status talks, I call on the international community, in particular the member States of the Security Council and the Contact Group, to continue to provide strong support to the process. I welcome the Guiding principles for a settlement of the status of Kosovo prepared by the Contact Group. The challenging period ahead will require the full political engagement of the international community to enable the United Nations to fulfil the mandate entrusted to it by the Security Council under its resolution 1244 (1999).

23. I would like to extend my appreciation to my Special Representative, Søren Jessen-Petersen, and to the staff of UNMIK for their continued dedication and commitment to the values and objectives of the United Nations and to their steadfastness in carrying out their challenging tasks, often in difficult circumstances. I would also like to extend my appreciation to the Kosovo Force (KFOR), our partners within UNMIK, the European Union and OSCE, and to the other organizations, agencies, contributors and donors for their commitment and valuable political and practical support.

Annex I

Technical assessment of progress in implementation of the standards for Kosovo

Prepared by the Special Representative of the Secretary-General for Kosovo
20 December 2005

1. Implementation of the standards for Kosovo continued throughout this reporting period, although at a slower rate than in previous periods. Most progress was visible in property rights and the economy; least in sustainable returns and the rights of communities and their members, and technical dialogue. This assessment records developments during the reporting period and urgent priorities.

Functioning democratic institutions: developments during the reporting period

2. The Assembly adopted improved rules of procedure. Adherence to the rules improved: no major violations occurred during plenary sessions (some procedural violations continued). Public hearings were held on 11 draft laws. A women's caucus has been established including all parties and minority community members.

3. Legislative drafters and the Assembly continued to rely on the support of the United Nations Interim Administration Mission in Kosovo (UNMIK) to amend legislation to ensure technical adequacy and compliance with the constitutional framework and international human rights instruments. Ten laws adopted by the Assembly are under UNMIK review for conformity with international standards; five need to be revised to comply with the constitutional framework. The independent media commission law required an UNMIK amendment to ensure the Commission's independence. Laws significantly affecting women, such as those on the family and inheritance, continued to be drafted and adopted without consultation with women's groups.

4. The adherence of municipal assemblies to their rules of procedure deteriorated: seven serious violations by municipal authorities have required UNMIK intervention since September. Public consultations on draft municipal legislation increased.

5. Following a meeting of senior Belgrade leaders on 18 July, members of the largest party representing Kosovo Serbs, the Serbian List for Kosovo and Metohija (SLKM), continued to exclude themselves from the Assembly and government of Kosovo. This decision, which was made against the objections of Kosovo Serb leaders willing to participate, undermined previous improvements in dialogue between Kosovo's communities, including SLKM participation in early decentralization working groups.

6. Repeated international intervention was required to ensure that the Senior Public Appointments Committee complied with the law. Five permanent secretaries and four Ministry of Public Services senior officials were dismissed without correct procedures. The Civil Service Independent Oversight Board started hearing grievance appeals from mid-level civil servants and reviewing appointments at the

level of heads of departments as well as employers' compliance with the civil service law.

7. An Inter-Ministerial Commission has been established to monitor minority access to public services.

8. Minority employment in the central ministries is 10.68 per cent (9.6% in January, 10.2% in April, target is 16.6%). Seventeen of 30 municipalities met or exceeded their targets; seven achieved or exceeded 70 per cent of the target goal. The Ministry of Public Services developed a system for monitoring employment in Kosovo's institutions by gender, community and level. Budget-driven downsizing has adversely impacted minority employment in six municipalities (Vushtrri/Vučitrn, Pejë/Peć, Istog/k, Gjakovë/Djakovica, Fushë Kosovë/Kosovo Polje, Ferizaj/Uroševac).

9. The Government approved a progressive law on the use of languages; objections have been raised in the Assembly. Meetings of the Assembly were held in all official languages. Municipal assembly and committee meetings were interpreted whenever minority members were present; inadequate equipment and staffing limited the quality of interpretation. Twenty-three municipalities are fully or partially language compliant in respect of road signs; 22 are fully or partially compliant in respect of signs on municipal buildings. All ministries and 18 municipalities have language units; 15 municipal units function well. Another 10 municipalities have hired, or appointed staff to act as, translators. Official documents are translated in 14 municipalities and partially translated in 12. Language compliance monitoring mechanisms have been established. The mechanisms are functioning reasonably effectively for the central government and 12 municipalities.

10. An Office of Gender Equality is to be established within the Office of the Prime Minister. Nine of 17 planned staff are in place.

11. The Independent Media Commission law was promulgated; appointment of the Council of the Commission is progressing. The law on the public broadcaster was passed by the Assembly at first reading, and reviewed by relevant Assembly committees.

12. Minority language programmes comprise 9.2 per cent of public television and 12.5 per cent of public radio broadcasting. Thirty of 118 broadcast stations broadcast in at least two languages; 18 provide regular programmes in Roma. The minority broadcasting strategy includes the establishment of a Minority Media Fund to support private and public provision of minority and multi-ethnic media; the government has committed €50,000 to this effort.

13. All 13 main daily and weekly newspapers have endorsed the press code. A Press Council (with Kosovo Albanian and Kosovo Serb deputy chairs) has been established to monitor the Code's implementation.

14. Parallel structures continue to operate in all municipalities where significant Kosovo Serb populations live. On 7 December, the President of Belgrade's Coordination Centre for Kosovo wrote to at least some Kosovo Serb employees that:

> "All individuals who have established labour relations in the Permanent Institutions beyond the competence of the Republic of Serbia and Montenegro (UNMIK) or are engaged in any way with those Institutions have to decide

on one labour relationship. If they do not do so, their labour relations in institutions of the Republic of Serbia and Montenegro will be cancelled."

This has been understood by most recipients as a requirement to stop working in or with the Provisional Institutions of Self-Government. Other Kosovo Serb staff offered employment contracts by the Provisional Institutions report being forbidden by Belgrade to sign them.

Functioning democratic institutions: urgent priorities

15. The Assembly needs to meet more often for debate (without awaiting for draft legislation to initiate discussion) and to exercise effective oversight by scrutinizing government policies, performance and spending. The Assembly secretariat must provide free access to documentation by Assembly members.

16. Legislative drafting capacity needs to be strengthened. Draft legislation needs to be technically adequate and in conformity with the constitutional framework and human rights instruments before submission to UNMIK and/or adoption by the Assembly.

17. All municipal assemblies and officials need to comply with their rules of procedure, terms of reference and the law at all times.

18. Kosovo Serbs can best define and promote the interests and needs of Kosovo Serbs. In the absence of Kosovo Serb participation in the Assembly and government of Kosovo, the constitutional framework, the international community and the Provisional Institutions of Self-Government will seek to define, promote and protect those interests and needs and the rights of Kosovo Serbs. Kosovo Serbs need to participate in the Assembly, government and Ministries of Kosovo in order to ensure that their rights, needs and interests are defined, promoted and protected optimally.

19. Public administration reform is an urgent priority. Mechanisms for civil service accountability and professionalism are not functioning well. Appraisal and performance management systems need to be used effectively. Employment, dismissal and disciplinary procedures need to be respected in all institutions. Decisions taken by the Senior Public Appointments Committee (under international pressure) need to be implemented. The Committee needs to act in accordance with its rules of procedure and the objective of ensuring a professional, non-politicized civil service.

20. Clear understanding of ethical conduct requirements is needed. Mechanisms to investigate allegations of misconduct need to be used effectively. Elected officials and public servants responsible for unethical, fraudulent or corrupt behaviour need to be effectively disciplined.

21. Basic public services are not provided to a high quality to any community; improvements, particularly in education and health care, are urgent priorities. All ministries, municipalities and service providers funded under the Kosovo consolidated budget need public service standards. Improved and more accessible services offered by Provisional Institutions of Self-Government service-providers are central to reducing demand for services provided by parallel structures.

22. Minority recruitment and the promotion of qualified minority employees to senior levels need to continue in central ministries and some municipalities, particularly Deçan/Dečani, Klinë/a, Ferizaj/Uroševac, Leposaviq/ć, Pejë/Peć and

Shtime/Štimlje. Minority communities need to encourage their members to apply for posts in the civil service and public service providers.

23. The Assembly needs to adopt the law on the use of languages.

24. Official communication and documentation needs to be in all official languages. Ministries need to lead by example. All municipalities need to ensure adequate staffing for translation and interpretation requirements. Malishevë/Mališevo and Zveçan/Zvečan need translators. Malishevë/Mališevo, Deçan/Dečani, Leposaviq/ć, Zveçan/Zvečan, Zubin Potok, Shtërpcë/Štrpce and Kaçanik/Kačanik need road signs in all official languages. Signs on public buildings need to be in all official languages in Malishevë/Mališevo, Deçan/Dečani, Prishtinë/Priština, Gllogovc/Glogovac, Leposaviq/ć, Shtërpcë/Štrpce Skenderaj/Srbica, Zveçan/Zvečan and Zubin Potok. Language compliant signs that are defaced need immediate corrective action.

25. Women hold 27 per cent of jobs in central ministries and 26 per cent of municipality jobs, including a high proportion of non-professional grades. Representation at senior levels remains negligible. Qualified women need to be promoted to decision-making levels in every ministry and municipality. Gender officers need to be included in decision-making. All municipalities need to consult communities and women on draft legislation. The Office for Gender Equality needs a budget allocation and clearly demarcated responsibilities. Kosovo's action plan for the achievement of gender equality needs to be updated, accountability mechanisms defined, and implemented.

26. Kosovo Radio-Television (RTK) needs to increase programming in minority languages. The strategy for minority broadcasting needs to be implemented.

27. Print media in Kosovo continues to report on minority issues but from a largely negative standpoint. Serbian-language newspapers imported from Serbia proper often contain misleading news coverage about Kosovo, and cannot be said to properly serve Serbian-language readers in Kosovo (temporary Media Commissioner). Media will best serve the people of Kosovo if they contribute to information and understanding without exacerbating tensions.

Rule of law: developments during the reporting period

28. Charges have been pressed against 426 people relating to the violence in March 2004 (209 convictions, 12 acquittals, 110 cases pending, 95 cases dropped). Gjilan/Gnjilane District Court sentenced six Kosovo Albanians to 38 years (total) imprisonment for crimes committed during that violence. Although the Organization for Security and Cooperation in Europe (OSCE) had not previously raised concerns over the conduct of cases related to the violence of March 2004 by local judges and prosecutors, an OSCE report published in December 2005 concluded that the Kosovo judiciary's response failed to send out a clear message to the population condemning this type of violence. Responsibility for concluding the investigations passed to Kosovo Police Service regional crime squads; investigations continued on the basis of statements of victims and witnesses collected by the Ministry of the Interior of Serbia and Montenegro.

29. All 33 police stations, all regional headquarters, except Mitrovica, all regional crime squads, all regional traffic units, the Kosovo Police Service Appeals Board, weapons licensing, community policing, professional standards, forensics, the

Kosovo Police Service Canine (K-9) Unit and gender affairs units have been put under the control of the Kosovo Police Service. During the reporting period, 1,700 officers of the Service have been trained in riot control. The Mitrovica Detention Centre is now under the control of the Kosovo Correctional Service.

30. The Kosovo Police Service and the Kosovo Correctional Service remain multi-ethnic. Of the total number of police officers, 15.2 per cent are from minority communities, with more than 20 per cent of higher ranking officers coming from minority groups. Women's participation in rule of law institutions compares favourably with the region: 50 per cent of court liaison officers, 75 per cent of victims advocates, 45 per cent of the professional staff of the Judicial Inspection Unit, 17 per cent of correctional staff, 30 per cent of judges, 18 per cent of prosecutors and 14 per cent of police.

31. Crime clearance rates remained broadly comparable across communities.

32. Three complaints were received of possible ethnic bias among judges and prosecutors. None of the 11 cases referred to the Kosovo Judicial and Prosecutorial Council during 2005 alleged ethnic bias. Minority community members comprise 10 per cent of judges and 9 per cent of prosecutors.

33. Five more court liaison offices (now 10) opened in minority areas: Prelluzhë/Prilužje, Mitrovicë/a, Novak/e, Osojan/e and Shillovë/Šilovo.

34. Over 42,300 cases are backlogged in the civil courts.

35. New codes of conduct for judges and prosecutors have been drafted.

36. Serious and organized crime, financial and economic crime, including corruption, money-laundering and trafficking, continue in Kosovo as across the region. These crimes and crimes rooted in extremism and war crimes are the most difficult for rule of law institutions to combat successfully. Pursuing successful investigations, supporting local police, prosecutors and judges investigating and trying these cases, and building courageous and impregnable structures of visible integrity to respond effectively to these most difficult areas of justice presents an ongoing challenge to UNMIK and the Provisional Institutions of Self-Government.

37. Intimidation and attempts to intimidate witnesses and justice system employees continued. All Kosovan judges in one municipality withdrew from a case after receiving threats. Two witnesses reported intimidation in a murder and a terrorism case. A witness in a war crimes case was murdered and his grave desecrated.

38. Full cooperation with the International Tribunal for the Former Yugoslavia, and legal cooperation with other jurisdictions, continued.

39. No significant progress was made on tackling corruption.

40. The action plan to combat trafficking in persons was approved and work in its implementation was started. An anti-trafficking campaign, "Not for Sale", was initiated. A charge-free telephone help-line for victims and a victims' resource centre opened. The Interim Secure Facility continued to support victims of trafficking. Three citizens of Albania were sentenced to long prison terms for human trafficking.

Rule of law: urgent priorities

41. The remaining investigations of and prosecutions of incidents related to the March 2004 violence need to be brought to conclusion.

42. Intimidation threatens the rule of law and the justice institutions across Kosovo and deters foreign investment. Political leaders of all parties need to lead a campaign against intimidation of, and assaults against, witnesses, police, judges, prosecutors and corrections service staff. Policies of zero tolerance and tough sentencing are needed.

43. The Ministries of Interior and Justice established on 20 December need to become effective structures for implementing rule of law competences as they transfer from UNMIK. The nominations of political leaders of ministers, deputy ministers and permanent secretaries for these ministries need to signal determination and ability to protect the rule of law and to support the development of the ministries into effective rule of law institutions.

44. The number of serious violent crimes that promote inter-ethnic hatred and fear remained low; levels of intimidatory and harassing acts are higher. The impact of serious crimes and intimidatory and harassing acts on vulnerable minority communities of all ethnicities is significant, and perpetrators of such crimes need to be brought to justice in each and every instance.

45. More village police stations and substations, court liaison offices and community policing are needed to strengthen minority access to police and justice. Efforts to recruit minority community judges and prosecutors need to continue. Qualified women and minorities need to be recruited in specialized units of the Kosovo Police Service and promoted to the higher ranks of the Kosovo Correctional Service.

46. Effective legal, financial and administrative mechanisms conforming to European Union standards are needed to tackle economic crime in the public and private sectors. Money-laundering legislation needs to be effectively implemented.

47. Violence against women and children, trafficking and other forms of exploitation continue at unacceptable levels in Kosovo as across the region. Further action is needed at all levels to ensure that women's human rights are effectively protected. Political leaders of all parties and at all levels need to lead public opinion by speaking out against such crimes and in favour of the equal value and treatment of men and women. Zero tolerance and tough sentencing are needed.

48. Judgments in civil law matters and court fines need to be enforced. Capacity-building for the civil courts is needed to reduce backlogs and manage their caseload effectively.

Freedom of movement: developments during the reporting period

49. Serious security incidents increased. A rocket-propelled grenade hit a bus near Prizren. A bomb exploded in the Shtërpcë/Štrpce market. Two Kosovo Albanians were shot dead in Prishtinë/Priština. Two Kosovo Serbs were murdered and two wounded near Shtërpcë/Štrpce. A grenade detonated under a Kosovo Police Service vehicle close to UNMIK headquarters. The regional commander of the Kosovo Police Service in Gjilan/Gnjilane, the highest-ranking minority member in the Service, was wounded when his vehicle was attacked in Kaçanik/Kačanik. A

grenade was thrown at a Kosovo Serb-owned house in Klinë/a. An empty Kosovo Serb house in Kllokot/Klokot was destroyed in an explosion. A Kosovo Serb reported being shot in Sushicë/Sushica; the report provoked stone-throwing against Kosovo Albanians in Graçanicë/Gračanica (it was later established through forensic evidence that the shooting was in all likelihood self-inflicted and not fired from a distance). Seven Kosovo Albanians were beaten in northern Mitrovica in four separate incidents. Not all these incidents were necessarily inter-ethnic in nature, and some may well not be. They nevertheless exacerbate inter-ethnic tensions. They also impact particularly on minority communities' sense of security. Police have responded, including doubling the number of foot patrols in each municipality, establishing 50 additional fixed and mobile vehicle checkpoints and increasing the state of readiness to quickly mobilize officers in response to incidents.

50. Attacks on religious and cultural sites of Kosovo Albanian and Kosovo Serb communities continued at a low level (averaging 2 per month). Some acts appeared ethnically motivated in nature; others, such as the theft of lead from church roofs, did not. The number of reported crimes specifically related to movement by minorities remained low (averaging 2 per month).

51. Minority communities travelled more freely around Kosovo. Of 583 minority community members surveyed for the most recent International Police freedom of movement assessment (18 November), 83 per cent said that they travelled outside their areas of residence to other parts of Kosovo. The trend in minorities' perceptions of their freedom to move was also generally upwards: 69 per cent of people surveyed on 18 November assessed that they were "able to travel safely in Kosovo". Some members of all communities remain largely within areas where they are in the majority.

52. Regular military escorts ceased. The Kosovo Force (KFOR) fixed guarding reduced to 14 positions (50 before March 2004; 133 thereafter). Police continued to provide close protection and escorts for Serbian Orthodox clergy travelling around Kosovo and for visitors from Serbia proper to Serbian Orthodox sites in Kosovo.

53. As of July 2005, the Austerlitz Bridge joining northern and southern Mitrovica was opened for traffic 24 hours a day. Two-way traffic crossed the bridge at approximately 80 cars per day through August, after which monitoring ceased as traffic became routine. Kosovo Serbs crossing the Bridge do not feel safe to move freely in southern Mitrovica; Kosovo Albanians do not feel safe to move freely in northern Mitrovica.

54. Political leaders condemned inter-ethnic crimes and encouraged cooperation with the police in solving them. For the first time since 1999, public meetings were held with participation of Kosovo Serbs in Peja/Pec to discuss freedom of movement and security. Community policing initiatives are having a positive impact in nine municipalities.

55. Eighteen municipalities have functioning local crime prevention/community safety councils; eight are established and partially functioning. Chairing of these councils is now under local control.

56. Five inter-urban bus lines subsidized by the Kosovo consolidated budget have opened, connecting minority communities in Prishtinë/Priština, Mitrovicë/a, Prizren and Gjilan/Gnjilane regions. Four are well used (3,478 passengers in October). There were no recorded incidents of intimidation, violence or resignations related to

minority communities' transport to/from work. Five additional licences are to be awarded for vehicle inspection centres in minority locations.

Freedom of movement: urgent priorities

57. Violent crimes occur against members of all communities but their impact is most significant on fragile minorities and returnees and on their perceptions of security; minority confidence on freedom of movement has fluctuated between 55 and 78 per cent depending on incidents prior to survey. Intimidating acts, rumours, some political statements and certain types of reporting exacerbate fears and undermine confidence. They need to stop. Reliable systems for identifying acts preventing and/or deterring free movement need to be established in Kosovo. Political and municipal leaders need to lead public opinion by speaking out in favour of free movement for all and condemning, without delay, all incidents and intimidatory acts that challenge or impede it. Zero tolerance policies need to be adopted by police and justice systems.

58. The start of status talks and the surrounding public debate risk increased inter-ethnic tensions. Leaders and the media in Belgrade and Pristina need to ensure that their statements and reporting during status talks do not exacerbate tensions and/or lead to volatility and violence between communities.

59. Local community police and security committees need to function in Prishtinë/Priština and Obiliq/ć, and to be established in Zubin Potok. More community policing will support and encourage free movement.

60. Transport operators need to hire more minority community members.

Sustainable returns and the rights of communities: developments during the reporting period

61. Numbers of returns remained low. The Office of the United Nations High Commissioner for Refugees (UNHCR) documented 1,925 voluntary returns from 1 January to 30 November 2005, of which one third were Kosovo Serbs. The 1,371 persons displaced in March 2004 remained so as at 30 November 2005.

62. Returns projects are ongoing in 18 municipalities and planned in 6 more; projects in 13 municipalities await funding. Klinë/a municipality developed the first concept paper prepared entirely by local actors and has committed to its full implementation. Twenty-five municipalities have endorsed municipal returns strategies (1 awaits endorsement); 28 have functioning municipal returns officers. Malishevë/Mališevo, Deçan/Dečani and Zveçan/Zvečan particularly need to support, and build public acceptance for, returns.

63. Urban returns are ongoing in 13 municipalities and planned in three more. Twenty-two Kosovo Serb families have returned to urban Klinë/a where local authorities have led strongly and committed to supporting returnees without international assistance.

64. The Ministry of Labour and Social Welfare has assumed humanitarian responsibility for all internally displaced persons who left Kosovo as a result of the violent events of March 2004 who meet the eligibility criteria.

65. The strategic framework on communities and returns was launched in July. Funding for those returns projects identified in 2004 transferred from the Ministry

of Communities and Returns to the United Nations Development Programme (UNDP) for implementation. Funding for returns projects approved in 2005 also subsequently transferred to UNDP; implementation was delayed for six months (project documents signed on 19 December) by the objections of the Minister of Communities and Returns to previously agreed implementing partners and insistence on direct implementation by the Ministry. The Ministry of Communities and Returns has neither implementing capacity nor adequate financial management capacity to undertake implementation successfully (European Agency for Reconstruction and UNMIK capacity-building is under preparation).

66. A protocol on returns was agreed at the technical level between Pristina and Belgrade in September.

67. An extensive outreach campaign entitled "We Can Live Together", involving teams of ministers visiting displaced and receiving communities was completed. It promoted tolerance, respect for diversity, freedom of movement, human rights and property rights, and called for integration and employment of minority community members. The outreach efforts of most ministers of the Prime Minister and other political leaders were significantly reduced thereafter.

68. The Ministry of Communities and Returns stopped work on a database of displaced persons to measure the demand to return.

69. No progress has been reported since August in the March 2004 reconstruction programme. Over 170 complaints have been received about the quality of residential reconstruction; 38 of 42 houses inspected by UNMIK and KFOR engineers are not habitable. A dossier documenting unacceptable construction quality in Svinjare was passed to the government in October; corrective action remains to be taken. Commercial property reconstruction has not started. Over 40 per cent of those eligible for secondary buildings compensation, and over 25 per cent of those eligible for €2,000 start-up assistance, remain to be confirmed as paid. The draft 2006 Kosovo consolidated budget includes €417,000 for completion of the reconstruction and compensation programmes, an amount that is considered insufficient. These failures undermine returns and the prospect for returns and undercut the government's message in the immediate aftermath that the violence was unacceptable and would not be repeated.

70. Fair share financing targets were exceeded overall by €1.5 million in 2004. Some municipalities recorded expenditure against fair share financing targets that did not sustainably benefit minority communities and, in occasional cases, seemed not to relate to minority communities at all.

71. The Government has included a line in the draft 2006 Kosovo consolidated budget to earmark funds for municipalities with a good record of standards implementation and minority integration.

72. The second draft of the Kosovo human rights strategy is being circulated for consultation. UNMIK submitted a first annual report for Kosovo under the Framework Convention on the Protection of National Minorities. Human rights focal points have been appointed in all ministries. Equal opportunity officers have been appointed in the office of the Prime Minister, five ministries and 24 municipalities.

73. Pre-primary, primary and secondary education continued to be available in Albanian, Serbian and Turkish. Roma language school courses are under development. The Ministry of Education Science and Technology and Save the Children Kosovo have developed a project for mixed (Kosovo Serb, Kosovo Albanian, Turkish) pre-primary classes in six municipalities.

74. The Government endorsed a comprehensive action plan to implement the anti-discrimination law, which includes information campaigns and training; implementation is scheduled to start in January 2006.

75. A regulation establishing a human rights advisory panel awaits approval from Headquarters.

Sustainable returns and the rights of communities and their members: urgent priorities

76. Implementation of 2005 returns projects needs to start. Work on the database of displaced persons needs to restart.

77. Uncertainty over the outcome of the future status process and its impact on the sustainability of returns presents a significant unavoidable disincentive to return at this time. The economic security of returnees remains very limited; economic uncertainty and limited employment opportunities affect all people in Kosovo, but impact particularly on returnees, who are largely without supporting family structures. Other factors impeding returns, and therefore priorities for action, include shortages of social housing, weak property rights protections, security concerns and perceptions, discouragement to return from Belgrade and donor funding shortages. Central and municipal authorities need to ensure non-discriminatory access to basic services and economic opportunity for returnees and minority community members.

78. Visible support for returns and outreach to displaced and receiving communities by all political leaders, including the Prime Minister, the President of the Assembly, ministers, municipal presidents and members of the opposition, needs to increase significantly.

79. Leposaviq/ć, Zveçan/Zvečan and Zubin Potok need Municipal Assembly-endorsed municipal returns strategies. Zveçan/Zvečan needs a municipal returns officer. Leposaviq/ć and Kaçanik/Kačanik municipalities need to support returns with "Go and inform" and "Go and see" visits. Women's representatives need to be included in returns planning and implementation.

80. Implementation of already agreed returns projects will require €30 million in additional funding.

81. Communities committees are needed in Obiliq/ć, Lipjan/Lipljan, and Malishevë/Mališevo. Mediation committees are needed in Rahovec/Orahovac, Deçan/Dečani, Prishtinë/Priština, Obiliq/ć, Lipjan/Lipljan, Skenderaj/Srbica and Mitrovicë/a. All communities need to participate in communities and mediation committees.

82. Manipulation of fair share financing reporting does not give confidence that resource allocation would be maintained if not internationally monitored. All municipalities and ministries need to record fair share financing funding accurately.

83. Legislation to protect human rights and the rights of communities and their members, consistent with European standards, needs to be fully implemented. A PISG structure is needed to monitor compliance with human and community rights and to respond to violations. The Kosovo human rights strategy needs to be completed and implemented. Subsidiary legislation and a systematic public information campaign for the anti-discrimination law need to be drafted and implemented. Further work is needed on the local self-government law, particularly vital interest mechanisms.

Economy: developments during the reporting period

84. Budget management strengthened. Spending agencies had spent 59.5 per cent of their budgets (79.4 per cent of pro-rated allocations) by the end of the third quarter. The Ministry of Finance and Economy implemented a budget-neutral mid-year review and fiscal adjustment. The 2006 budget was endorsed by the Economic and Fiscal Council and approved by the Assembly in time for promulgation on 20 December.

85. Several unauthorized budget transfers were identified and reversed at my requirement. Other attempted transfers, which would have increased the wage bill, were corrected by the Ministry of Finance and Economy.

86. Chairmanship of the Economic Fiscal Council was transferred to the Prime Minister. The medium-term budget framework was endorsed by the Economic Fiscal Council; work on the medium-term expenditure framework continued. A letter of intent was signed with the International Monetary Fund (IMF) on Kosovo's medium-term economic and fiscal policy framework, committing the Government to stricter control of overall public expenditure and limits on the budget deficit, public sector employment and benefits and growth in government spending.

87. The concerns of IMF that authorized civil service staffing levels would be exceeded were successfully addressed by the Provisional Institutions of Self-Government. The wage bill for 76,700 civil service staff will be around 30 per cent of the 2006 Kosovo consolidated budget.

88. Privatization continued to accelerate, with the ninth to twelfth waves initiated. Special spin-off sales continued. The finalized sales purchase agreement for "Ferronikeli", worth €30.5 million, represented the largest private foreign investment in Kosovo since 1999.

89. First steps towards a Kosovo development strategic plan were taken. The target date for completion is end 2006.

90. Kosovo Trust Agency disputes with 20 municipalities over sequestered socially owned enterprises land made some progress. Twenty-six municipalities have listed the socially owned enterprises land they request for public use.

91. The Kosovo Trust Agency launched the incorporation of UNMIK railways, district heating and the Kosovo electric company (KEK). The incorporation of Post and telecommunications of Kosovo (PTK) and Prishtinë Priština Airport were completed. A joint UNMIK-Provisional Institutions of Self-Government task force was established to coordinate support to the revenue collection efforts of KEK.

92. A new excise code, a law on support to small and medium-sized enterprises and a reviewed procedure for appointments to the Kosovo Pensions Saving Trust

were promulgated. The BPK published annual reports on Kosovo's economy and is developing a series of bulletins on economic developments.

93. Loans from the European Bank for Reconstruction and Development to support a small and medium-sized enterprise credit line and a World Bank grant to strengthen Kosovo's business environment and public expenditure management were agreed upon.

94. Twenty-four municipalities have local economic development strategies.

95. The establishment of an anti-corruption agency has stalled.

96. Minority employment is 4.4 per cent in the BPK and 4.8 per cent in the TAK.

97. An interim free-trade agreement with the former Yugoslav Republic of Macedonia was concluded; negotiations concluded on an agreement with Bosnia and Herzegovina.

Economy: urgent priorities

98. Institutions for enforcement need further strengthening. An anti-corruption council and an anti-corruption agency need to be established; the Assembly needs to nominate Council members now. The Independent Tax and Customs Review Board remains unable to manage the backlog of appeals; the Assembly needs to designate additional members.

99. Capacity to draft and implement secondary legislation needs strengthening. Implementing authorities need clear direction on new legislation. Costs of legislation need to be considered at the drafting stage to ensure that funds for implementation are available.

100. Public procurement needs to be improved. The public procurement law needs to be revised (requiring completion of the government's review of proposed amendments).

101. Unauthorized budget transfers need to stop. Mechanisms are needed for central monitoring and control overexpenditure obligations incurred by budget organizations.

102. The public sector recruitment freeze (excluding minority hirings and hiring for newly transferred competencies) needs to continue, along with strict control over the public sector wage bill.

103. Socially owned enterprises land sequestered by municipalities needs to be returned and other cadastral issues resolved if privatization is to continue at its current pace.

104. A mechanism is needed to track implementation of local economic development strategies.

Property rights: developments during the reporting period

105. Central level property-related legislation has been inventoried; municipalities have submitted their legislation. The task force established to reform property legislation started work with international support. All administrative instructions required to implement the law on spatial planning were completed. The social housing programme and manual includes categories of women in situations of

vulnerability, such as victims of domestic violence, trafficking and single mothers without regular income.

106. The situational analysis of informal settlements has been completed. The Ministry of Environment and Spatial Planning has completed draft guidelines for spatial planning in municipalities to protect and begin to regularize informal settlements in line with international human rights standards.

107. Adjudication has been completed for 99.4 per cent of the residential property caseload of the Housing and Property Directorate; completion is expected by the end of 2005. Police supported implementation of the Housing and Property Directorate and court decisions as requested. A joint Provisional Institutions of Self-Government-Housing and Property Directorate forum was established to improve coordination of and increase public support for implementation of the decisions of the Directorate.

108. The repossession rate for illegally occupied properties adjudicated by the Housing and Property Directorate remained stable and low (11.45 per cent of implemented C-claims resulted in repossession). The proportion of voluntarily released properties decreased to 13.25 per cent of repossessions. The number of properties administered by the Directorate rose slightly to 6,538 (from 6,381).

109. The backlog of property-related cases in the courts rose to 8,486. Cases continue to be received faster than they are adjudicated. The number of cases stayed by the decision of UNMIK rose to 19,994 (although approximately 500 have been cleared for adjudication).

110. Through complaints received, UNMIK's Department of Justice has identified 40 cases of suspected fraudulent property transactions. The Department of Justice and OSCE have identified problems with the ways courts use property-related evidence and appoint temporary representatives. Preliminary findings do not suggest a systemic pattern of abuse or discrimination. Recommendations for prosecutions and preventive measures are under preparation.

111. UNMIK and the government agreed to a mechanism to resolve outstanding conflict-related property claims, including those relating to agricultural and commercial property. The draft regulation awaits approval from United Nations Headquarters.

112. The Ministry of Environment and Spatial Planning launched a public awareness campaign calling for respect for property rights, and denouncing illegal occupation as neither a viable nor legitimate solution to housing needs.

113. The government continued to draft supplementary legislation to regulate construction.

114. Twenty-six of 30 municipalities have operational cadastres and operational immovable property rights registers (Novoberdë/Novo Brdo's newly established municipal cadastral office is developing; Leposaviq/ć, Zubin Potok and Zveçan/Zvečan continue to work under the authority of the Serbian Geodetic Authority). Most municipalities still lack some cadastral records (removed to Serbia proper in 1999). Letters from me to the Government of Serbia and Montenegro, and direct discussions between officials from Belgrade and Pristina have not resulted in access to these records.

Property rights: urgent priorities

115. Property rights protection in Kosovo remains extremely weak and in need of urgent strengthening. Illegal construction continues by individuals and companies on land owned by others, as well as unpermitted construction on land by its title owners. Concerns continue over possible illegal expropriation of land by municipalities, including land owned by minority communities. Illegal occupation and use of property remains widespread. Kosovo's legislation, courts and administrative procedures need to be significantly strengthened to identify, correct and punish these crimes. The government and public sector need to lead by example, enforcing disciplinary procedures against public servants illegally occupying property. Courts, municipal authorities and police need to increase efforts to enforce property-related law faster and more consistently.

116. Incomplete or absent cadastral records and the ongoing activities of parallel administrative structures exacerbate all property problems and prevent reconstruction of a complete cadastre. The Government in Belgrade needs to provide immediate access to all cadastral records relating to Kosovo, including all records removed in 1999. Withholding these records impedes resolution of existing and new property disputes, including those involving Kosovo Serbs, returnees and potential returnees.

117. Legislation and its implementation needs to be made coherent, consistent and compliant with international human rights instruments and European standards. The laws on real rights and housing need to be harmonized and made coherent with current applicable European standards on property rights and the existing framework for immovable property registration. Secondary legislation for regulating construction needs to be completed. Mechanisms for the independent, timely and effective review of administrative and judicial decisions are needed to protect individual rights.

118. Municipalities need to continue to work on urban development and urban regulatory plans.

119. The backlogged and stayed property cases need resolving as a matter of urgency. The administrative agency for the resolution of conflict-related property claims, including those related to agricultural and commercial property, needs to be established quickly.

120. Social housing stock needs to be developed; establishing a rental scheme for properties administered by the Housing and Property Directorate could help.

Cultural heritage: developments during the reporting period

121. A Reconstruction Implementation Commission, including representatives of the Serbian Orthodox Church and the Institute for the Protection of Monuments in Belgrade (with its own secretariat) has been established to lead reconstruction of Serbian Orthodox sites damaged in March 2004. Thirty priority sites have been agreed; immediate protective works are almost complete. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has established an Experts Committee to manage disbursal of the funds pledged at the May 2005 international donor conference. At its inaugural meeting, this Committee proposed the first 14 projects ($3 million).

122. In the 2005 Kosovo consolidated budget, €4.2 million was allocated for church reconstruction; €1.5 million is expected to be spent by end 2005. The draft 2006 consolidated budget allocates €3.3 million for reconstruction of cultural heritage sites and monuments, including €2.7 million for church reconstruction. Additional funding may be required.

123. Seventeen incidents of theft of or damage to cultural heritage sites were reported: six churches, nine cemeteries, one war memorial, two unauthorized digs at archaeological sites and one excavation that damaged a museum building.

124. The redrafted law on cultural heritage passed at first reading in the Assembly. A public hearing was held, and the law is scheduled for adoption by the Assembly before the end of 2005.

125. Fieldwork was completed for the inventory of cultural heritage in Kosovo (2,847 sites registered). Work on the official inventory stalled.

126. The Minister of Culture, Youth and Sport promoted the need for protection of cultural heritage in Kosovo through public service announcements broadcast over the summer.

127. Minority employment remained at 14.7 per cent in the Ministry of Culture, Youth and Sport (22.2 per cent in the Cultural Heritage Department), and 11.06 per cent in regional cultural institutions, but fell to 2.42 per cent in the central cultural institutions.

Cultural heritage: urgent priorities

128. Reconstruction of Serbian Orthodox sites needs to be completed. The government needs to budget for the additional €1.5 million pledged at the international donor conference. The Minister of Culture, Youth and Sport needs to support the Reconstruction Implementation Commission and its secretariat and to fulfil its financial and procurement obligations to the Commission in a timely and transparent way.

129. Fieldwork data on cultural heritage sites needs to be compiled into an official inventory. Selections need to be made for the catalogue in a balanced, inclusive way that avoids creating controversy.

130. Symbolically important sites such as the Deçan/Dečani Monastery continue to be guarded by KFOR. The underlying respect for Kosovo's cultural heritage as the common patrimony of all of Kosovo's ethnic, religious and linguistic communities, most people from all communities respect places of worship, needs to be strengthened by leaders from all political parties. Better outreach, more public information and full immediate condemnation of criminal acts against cultural and religious sites are needed.

131. A structured capacity-building programme is needed for cultural heritage institutions' staff and municipal authorities.

Dialogue: developments during the reporting period

132. All dialogue working groups on technical issues met in June, and subsequently less frequently. The working group on missing persons met in October and December; the working group on energy in November. The working group on

returns held an ad hoc meeting in September. Delegations have generally demonstrated a willingness to discuss issues raised by the other side.

133. The Pristina delegation to the working group on missing persons is in urgent need of reform; it seems not to have access to the necessary data on the fates and burial sites of missing persons, and unlikely to provide this data in the foreseeable future. The Pristina delegation to the working group on energy has not been unified. Only one Pristina delegation includes a woman as a full member.

134. Signature of the draft protocol on returns, developed and finalized by the returns working group, has been stalled by Belgrade since August. There seems little prospect of signature soon.

135. Progress was made in establishing another (environment) working group, including direct telephone communications and a meeting between environment ministers from Pristina and Belgrade.

136. A Kosovan Minister (Culture, Youth and Sport) travelled to Belgrade to meet his counterpart for the first time.

137. Dialogue between the Pristina Government and the Serbian Orthodox Church was improved by a visit to Deçan/Dečani Monastery by the Minister of Culture, Youth and Sport, and a subsequent visit (the first for six years) by church leaders into Deçan/Dečani town to meet municipal leaders.

Dialogue: urgent priorities

138. The main risk to technical dialogue is that both sides will consider all issues to be part of the future status process and will stop discussing technical issues constructively. Ministers and officials need to continue technical dialogue to resolve issues of human concern and to further cooperation to the benefit of both sides.

Kosovo Protection Corps: developments during the reporting period

139. The Civil Protection Brigade was inaugurated. Members received specialist training in the handling of hazardous materials, crisis management and fire-fighting.

140. Minority community participation rose to 6.1 per cent of the active element (target 10 per cent). All vacant Kosovo Protection Corps (KPC) posts continued to be reserved for minority community members. Further minority recruitment efforts included: trilingual barrack signs at 42 KPC installations; trilingual website; trilingual billboards and leaflets; a media campaign; basic training courses in Serbo-Croatian; and civil reconstruction and humanitarian projects in minority and mixed community areas throughout Kosovo.

141. Potential and existing Kosovo Serb members continued to face intimidation from their own communities, reportedly encouraged by Belgrade, resulting in absenteeism leading to dismissal. Retention rates for Kosovo Serbs suffered as a result.

142. KPC teams cleared over 1.7 million square metres of land of unexploded ordnance during 2005. Primary responsibility for responding to reports of explosive ordnance transferred to the KPC from KFOR.

143. KPC continued to provide humanitarian, reconstruction and emergency assistance to all communities, including repairing water systems, clearing rubble, building fencing and improving roads.

144. The revised KPC disciplinary code, consistent with European human rights legislation, came into effect. Excluding absenteeism, disciplinary cases have declined by over 60 per cent since 2002, and continue to decline.

145. A gender equality board and two gender coordinators within each KPC unit have been appointed. KPC will be represented in the Inter-Ministerial Working Group for the Achievement of Gender Equality.

146. KPC made commendable progress in focusing training on future leaders and trainers; an officer career course and University scholarship scheme were established.

147. The duties of the Ceremonial Guard were suspended for two months following continued public statements by KPC over their future, which, constituting engagement in political affairs, were contrary to UNMIK regulation 1999/8 and the KPC disciplinary code. There has been no recurrence of this behaviour.

Kosovo Protection Corps: urgent priorities

148. Minority recruitment and retention efforts need to continue. Women comprise 2.9 per cent of the active KPC force (3.5 per cent of the reserve). Minority communities and women need encouragement from their own communities to join KPC.

149. Further establishing work (standard operating procedures, training plans) is needed for the Civil Protection Brigade.

150. Funding is urgently needed for mission essential equipment; necessary specialist training; establishment of the Civil Protection Brigade; implementing civil projects in minority and other areas in order to encourage support from and build trust between communities; implementing minority recruitment initiatives; completing planned demining programmes; and further professionalization and restructuring.

Annex II

A. Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo as at 31 December 2005

Country	Number
Argentina	13
Austria	24
Bangladesh	35
Brazil	3
Bulgaria	53
China	18
Croatia	2
Czech Republic	14
Denmark	24
Egypt	21
Fiji	19
Finland	6
France	56
Germany	243
Ghana	12
Greece	11
Hungary	9
India	90
Italy	32
Jordan	42
Kenya	17
Kyrgyzstan	2
Lithuania	8
Malawi	8
Malaysia	12
Nepal	18
Netherlands	1
Nigeria	34
Norway	19
Pakistan	121
Philippines	20
Poland	124
Portugal	9
Romania	186
Russian Federation	58

Country	*Name*
Slovenia	15
Spain	14
Sweden	41
Switzerland	5
Timor-Leste	10
Turkey	134
United Kingdom of Great Britain and Northern Ireland	69
United States of America	267
Ukraine	185
Zambia	9
Zimbabwe	30
Total	**2 143**

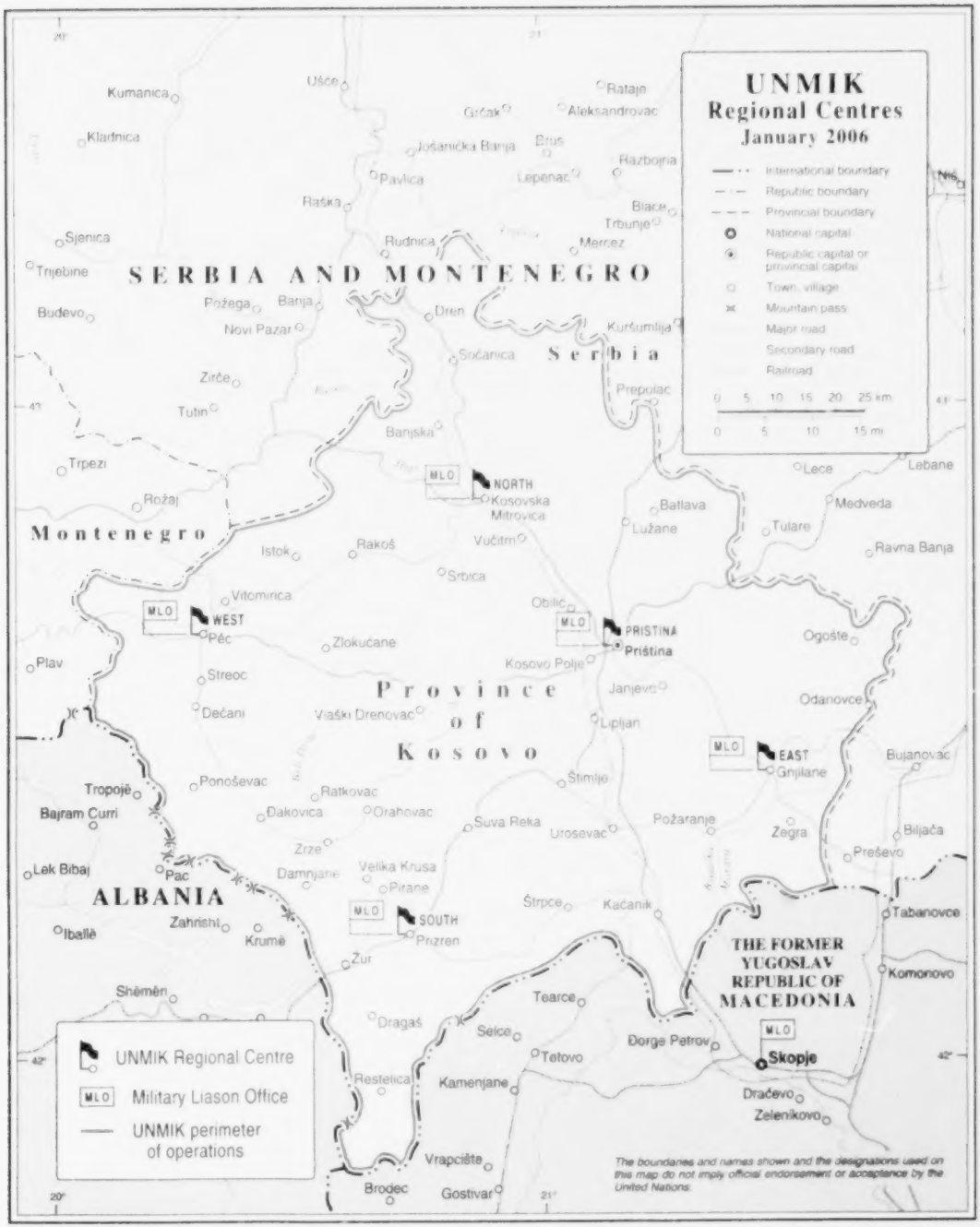
B. Composition of the Kosovo Police Service as at 31 December 2005

Category	*Percentage*	*Number*
Kosovo Albanians	84.50	5 800
Kosovo Serbs	9.67	664
Other ethnic minority members	5.83	400
Total		**6 864**
Men	86.10	5 910
Women	13.90	954

Annex III

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo as at 31 December 2005

Country	*Number of liaison officers*
Argentina	1
Bangladesh	1
Bolivia	1
Bulgaria	1
Chile	1
Czech Republic	1
Denmark	1
Finland	2
Hungary	1
Ireland	4
Italy	1
Jordan	2
Kenya	1
Malawi	1
Malaysia	1
Nepal	1
New Zealand	1
Norway	1
Pakistan	1
Poland	1
Portugal	2
Romania	2
Russian Federation	2
Spain	2
Ukraine	2
United Kingdom of Great Britain and Northern Ireland	1
Zambia	1
Total	**37**



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Report of the Secretary-General on the preparations for the International Conference on the Great Lakes Region

I. Introduction

1. The present report is submitted pursuant to the letter dated 15 December 2005 (S/2005/794) addressed to me from the President of the Security Council. In my last report to the Council on the International Conference on the Great Lakes Region, issued on 17 November 2003 (S/2003/1099), the preparatory process for the International Conference was described, including its objectives, participation and structure. Since that report, there have been major developments regarding the International Conference, including the successful organization of the first Summit of Heads of State and Government of the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region in Dar-es-Salaam, on 19 and 20 December 2004; increased political dialogue between the countries of the region, chiefly as a result of the platform provided and the momentum achieved by the International Conference; and preparations regarding the proposed Security, Stability and Development Pact. The second Summit of Heads of State and Government of the International Conference, which was scheduled to take place in December 2005 in Nairobi, was postponed. The reasons for the postponement are outlined in paragraphs 54 to 57 below.

2. The present report comprises six sections, which discuss: the outcomes of the Dar-es-Salaam Summit and the directives of the Heads of State and Government of the Great Lakes region for the preparation of the Security, Stability and Development Pact, expected to be signed at the second Summit (sect. II); the political and technical framework as well as on the timeline for the preparation of the proposed Pact (sect. III); the major components of the draft pact (sect. IV); the benefits of the International Conference (sect. V); the implications of the postponement of the Nairobi Summit (sect. VI); and observations and recommendations on the way forward (sect. VII).

II. Dar-es-Salaam Summit

3. The preparatory process for the International Conference began in Nairobi in June 2003 with the first meeting of the national coordinators of the then six members (Burundi, the Democratic Republic of the Congo, Kenya, Rwanda, Uganda and the United Republic of Tanzania). It continued through the second half of 2003

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and through 2004, during which time agreement was reached on the priority themes and on the political and technical frameworks of the Conference, the calendar of activities and the process leading to the first Summit. The period was also used for the formation, in December 2003, of the Group of Friends of the Great Lakes Region, consisting of 28 countries, mainly from the Organization for Economic Cooperation and Development (OECD), but which also included three African countries (Gabon, Nigeria and South Africa) and 10 international organizations. The Group of Friends provides a functional link between the Conference process and the partners supporting it politically, financially and technically.

4. During this period, the United Nations and the African Union held region-wide consultations with the core countries of the Regional Preparatory Committee, as well as with key stakeholders, including African subregional organizations, the New Partnership for Africa's Development (NEPAD), women, youth, regional non-governmental organizations, faith-based organizations, parliamentarians and trade unions, in order to reflect the inclusiveness of the Conference process. Those consultations and meetings were aimed at ensuring the ownership of the process by the core countries and also at making sure that all the issues within the four themes of the International Conference (peace and security; democracy and good governance; economic development and regional integration; and humanitarian and social issues) were adequately discussed and interlinked through a common regional and practical approach. The draft of the Dar-es-Salaam Declaration, which takes account of these substantive consultations, was also negotiated and agreed upon.

5. By consensus of the participating States, a seventh member, Zambia, was added. However, a serious crisis over its membership had to be overcome when four among the co-opted countries, Angola, the Central African Republic, the Republic of the Congo and the Sudan, subsequently asked to join the Conference as full members. It took considerable time and effort by Conference members, the United Nations, the African Union and other stakeholders to achieve a breakthrough in time for these four countries to be admitted and to attend the first summit.

6. The first Summit of Heads of State and Government of the International Conference on the Great Lakes Region, which took place in Dar-es-Salaam on 19 and 20 November 2004, marked the end of the first phase of the Conference process. The Summit, in which the Chairperson of the African Union and I participated as coordinators on behalf of the African Union and the United Nations, was attended by all 11 core countries (Angola, Burundi, the Democratic Republic of the Congo, the Republic of the Congo, the Central African Republic, Kenya, Rwanda, the Sudan, Uganda, the United Republic of Tanzania and Zambia) at the Heads of State and Government level. Other Heads of State and representatives of co-opted members (including Malawi, Mozambique, Namibia and Zimbabwe), together with the President of South Africa, representatives of the Group of Friends, international and regional partners and observers also attended. In Dar-es-Salaam, the member countries adopted a Declaration on Peace, Security, Democracy and Development in the Great Lakes Region, now commonly known as the Dar-es-Salaam Declaration.

7. The Dar-es-Salaam Declaration constitutes a landmark for the Great Lakes region. It is the first regional and comprehensive political document in which all the leaders jointly commit to transforming the Great Lakes region into an area of peace, security and development and set out a vision and a road map for the future.

8. The Declaration contains policy priorities and guiding principles in key areas of the four themes of the International Conference: peace and security; democracy and good governance; economic development and regional integration; and humanitarian and social issues. The policies range from security at the common borders and region-wide to small arms control, from adherence to international conventions on human rights to ending impunity and promotion of good governance, from sustainable integrated economic development to the fight against plundering of resources and corruption, and from combating sexual violence to finding sustainable solutions to the protracted problems of refugees and internally displaced persons.

9. The Declaration also sets guidelines on the protocols and programmes of action of what is to become the legally binding Security, Stability and Development Pact to be submitted for adoption at the second Summit of the Conference in Nairobi.

III. Framework for the preparation of the proposed Security, Stability and Development Pact

10. In the Dar-es-Salaam Declaration, the Heads of State and Government of the International Conference mandated a Regional Inter-Ministerial Committee, with the assistance of the Regional Preparatory Committee, to prepare selected, concrete, achievable and measurable draft protocols and programmes of action in each of the four themes of the International Conference.

Regional Inter-Ministerial Committee

11. The Regional Inter-Ministerial Committee brings together the 11 ministers, principally the Ministers for Foreign Affairs, in charge of the organization of the International Conference in the respective member countries. Ministers from neighbouring co-opted countries (Botswana, Egypt, Malawi, Mozambique, Namibia and Zimbabwe), representatives of the Group of Friends of the Great Lakes Region, the Joint United Nations/African Union secretariat, African subregional organizations, United Nations agencies, programmes and funds and observers also participate in the Regional Inter-Ministerial Committee, with various roles and prerogatives.

12. Since the first Summit, the Committee has been chaired by the United Republic of Tanzania, custodian of the Dar-es-Salaam Declaration, and, more particularly, by its then Minister for Foreign Affairs. The Chairperson headed the supervision of the draft programmes of action, protocols and projects of the Pact and has been using his good offices to resolve difficult situations, from the most technical level on the content of the draft documents, to the highest political level, including defusing disagreements and mounting tension between member countries, as well as finding a solution to the issue of the date of the Nairobi Summit.

13. Using the priority policy options and principles agreed upon by the Heads of State and Government in the Dar-es-Salaam Declaration, the Regional Inter-Ministerial Committee reviews and approves all the draft protocols for consideration by the second Summit, as well as all the draft project documents, which are the components of the programmes of action of the four themes of the Conference,

elaborated by the Regional Preparatory Committee. The Regional Inter-Ministerial Committee is also entrusted with mobilization, sensitization and advocacy vis-à-vis the partners in the International Conference, both at regional and international levels. In this regard, in September 2005, the Ministers in charge of the organization of the Conference met in the margins of the General Assembly to exchange ideas on progress made in organizing the second Summit and also to interact with Ministers from partner countries on orientation, priorities and the modalities of political, technical and financial support.

14. Since its establishment, the Regional Inter-Ministerial Committee has met twice, the first time in Kigali, in February 2005, at which time the Ministers approved the structure and functioning of the Regional Inter-Ministerial Committee and the Regional Preparatory Committee, the terms of reference of the draft protocols and programmes of action and projects and the plan of activities for the second phase of the International Conference leading to the Nairobi Summit, as well as the profile of the required expertise for the drafting of the documents and the budget during the critical drafting period towards the second Summit. At its second meeting, in July 2005 in Lusaka, the Committee reviewed the draft protocols and projects, prioritized them and discussed the follow-up mechanism beyond the second Summit. A third and last meeting of the Committee was scheduled to take place in Bangui, in mid-November 2005, in order to finalize the draft programmes of action, protocols and projects before the Nairobi Summit. Following the postponement of the Summit, the meeting of the Committee in Bangui was rescheduled and is now to be held in February 2006.

Regional Preparatory Committee

15. The Regional Preparatory Committee is the driving force behind the coordination of the technical preparation of the draft programmes of action, protocols, projects and any other documents to be presented to the Regional Inter-Ministerial Committee. The Regional Preparatory Committee brings together diverse elements, including the national coordinators and their deputies, assisted by national focal points in each of the respective thematic clusters, as well as representatives from women's, youth and civil society groups. The representatives of co-opted members, the Group of Friends, observers and subregional and regional African partners also participate in the Committee's meetings.

16. The meetings of the Regional Preparatory Committee preceded and prepared the two meetings of the Regional Inter-Ministerial Committee held in February and July 2005. However, an extraordinary session of the Regional Preparatory Committee took place in Luanda from 26 to 30 September 2005 to undertake a detailed review of all the draft documents before they were to be submitted to the last meeting of the Regional Inter-Ministerial Committee, which, as mentioned above, was scheduled to take place in Bangui in October 2005.

17. Between the meetings of the Regional Preparatory Committee, and in order to prepare them, technical, thematic task forces were established as the expert arm of the Committee. The task forces are responsible for the technical preparation of the draft project documents and protocols for discussion during the meetings of the Committee. Four task forces, reflecting the four themes of the Conference, have been established since the first meeting of the Regional Inter-Ministerial Committee. In the light of the recommendations of that meeting, the task forces are

composed of three governmental and non-governmental experts per theme. The work of the experts has also been facilitated by the inputs of the relevant United Nations agencies, programmes and funds, the Commission of the African Union and contributions from the other African and non-African partners involved in the process, notably the Group of Friends and African subregional organizations.

National coordinators

18. The national coordinators play a key role in the International Conference. They deal with all aspects of the process and their formal as well as informal meetings facilitated by the Joint United Nations/African Union secretariat are key to the success of the entire preparatory process from the political, technical and organizational point of view.

Joint United Nations/African Union secretariat

19. The Office of my Special Representative for the Great Lakes Region and the Commission of the African Union, which opened an office in Nairobi in 2004, have from the onset assumed the role of secretariat to the International Conference. The secretariat, which is a vital link between the core countries and their partners, has also performed a number of critical tasks, including: preparation and coordination of the draft programmes of action, protocols and project documents; preparation, facilitation and reporting of all meetings; collection and dissemination of information on the International Conference; advocacy and follow-up on issues requiring further consultations; and coordination of the whole United Nations system within the Conference process. The secretariat has also been responsible for handling all logistical and administrative matters related to the organization of the post-Dar-es-Salaam meetings for the elaboration of the draft programmes of action, protocols and projects (see annex I).

20. Following the postponement of the Nairobi Summit, the national coordinators, at their last meeting on 7 November 2005, requested the secretariat to prepare and organize certain meetings during the first half of 2006 (see annex II).

IV. Current status of the proposed Security, Stability and Development Pact

21. The positive results achieved at the first Summit of the International Conference, which culminated in the signing of the Dar-es-Salaam Declaration and increased political dialogue between the countries of the region, chiefly as a result of the platform provided and the momentum achieved by the Conference, have led the Heads of State and Government of the International Conference to recommend the adoption of a Security, Stability and Development Pact, which will be composed of two elements: the Dar-es-Salaam Declaration and the programmes of action, protocols and projects being prepared.

22. The current draft to be submitted to the next meeting of the Regional Inter-Ministerial Committee in February 2006 acknowledges the essential links that are the raison d'être of the Conference: links between the countries of the Great Lakes region; between their peoples; between the Governments and their peoples; between the region and its neighbours; between the region and its regional and international

partners; between the issues of peace, democracy, economic development and their social and humanitarian consequences; and between all projects within each theme. For that reason, all the protocols and projects contained in the Pact are cross-border and regional in nature.

23. Following a long and intensive process of drafting, consultations, selection and ongoing prioritization, the draft documents currently being finalized focus on a limited number of selected policies and activities in the framework of the four thematic clusters of the Conference, the most important and innovative of which are described below.

Peace and security

24. In the crucial peace and security cluster of the International Conference, following the Dar-es-Salaam Declaration, emphasis has been placed on a draft protocol on non-aggression and mutual defence for the Great Lakes region. This protocol aims at achieving the following objectives: to prevent or find a collective peaceful solution to armed conflicts involving, directly or indirectly, more than one State; to design concrete means to collectively stop all threats to peace and security in the region; to safeguard the sovereignty of each member State and respect the principle of inviolability of borders; to forbid the use of the territory of any member State for any act of subversion or aggression against one or more neighbouring States; and to prescribe collective measures to forbid and fight armed groups. At an operational level, the non-aggression and mutual defence draft protocol uses the same 12 security zones identified in the series of draft joint border security management projects cited below. It aims at integrating all key projects and ensuring their complementarity and facilitating the overall coordination of the implementation of the Pact.

25. A series of draft projects related to joint security management of the common borders, divided into 12 specific zones, have been set as major priorities. These include projects on the disarmament of armed groups in the eastern part of the Democratic Republic of the Congo; on disarmament of armed pastoralists in border areas between Uganda, the Sudan and Kenya; and on border management in zones affecting parts of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda.

26. More specifically, the project on the disarmament of armed groups in the eastern part of the Democratic Republic of the Congo is based on the implementation of the Lusaka Ceasefire Agreement of 1999. It focuses on: political and diplomatic support for the current efforts towards voluntary and forceful disarmament; security sector reform in the concerned countries, which it aims to undertake in conjunction with United Nations peacekeeping missions in the region and other partners; and capacity-building in border security management for relevant State authorities and border communities and enhancing economic activities among these communities. The project on armed pastoralists in border areas between Uganda, the Sudan and Kenya aims principally at stopping transborder cattle rustling raids, which are a major security threat in this area. It proposes several remedies, including promoting alternative economic activities, coordinated sensitization of the concerned populations and joint disarmament activities, as well as construction and rehabilitation of physical and social infrastructure at the common borders. It is complemented by activities aimed at

enhancing human security in its global sense in the 12 identified border zones. This project is also linked to the economic development and regional integration cluster.

27. Other priority projects are aimed, in conformity with the Dar-es-Salaam Declaration, at supporting, harmonizing and enhancing existing regional initiatives and mechanisms. They deal with the curbing of proliferation of small arms and light weapons, in partnership with the Regional Centre on Small Arms and Light Weapons, based in Nairobi, the curbing of terrorism and transnational crime, in partnership with the Regional Centre to Combat Terrorism launched in 2005 in Kenya; demining and the fight against the use of landmines, in partnership with the existing mechanisms in Kenya and the United Republic of Tanzania. The fight against transnational crime is, for obvious reasons, also linked to the democracy and good governance as well as to the economic development and regional integration clusters.

Democracy and good governance

28. In accordance with the Dar-es-Salaam Declaration, in the cluster of democracy and good governance, key draft projects gravitate around the establishment of a regional centre to promote democracy, good governance, human rights and civic education and include a forum for parliamentarians and non-institutional regional forums for women, youth and civil society.

29. In particular, the priority draft protocols as selected by the member countries are on: judicial cooperation; democracy and good governance; and the critical draft protocol on the prevention and repression of genocide, crimes against humanity and war crimes, as well as all forms of discrimination and the project that accompanies it, which includes the fight against impunity and the promotion of civil education and the culture of peace and tolerance.

Economic development and regional integration

30. The economic development and regional integration cluster focuses on the draft project on transborder development basins, which aims to contribute to strengthening local cooperation among border populations and neighbouring countries and to ensure more effective border security management.

31. In addressing the important and sensitive issue of the plundering of national resources in the region, which is a major security threat, the member countries have prepared both a key draft protocol and an important draft project on the illegal exploitation of natural resources, backed by a proposed regional mechanism for the certification of precious minerals. Other important priority draft projects focus on revitalization of infrastructure projects (railway corridors, pipelines), the relaunching of the Economic Community of the Great Lakes Countries (Communauté économique des pays des Grands Lacs (CEPGL)) and the promotion of the Great Lakes region as a special reconstruction and development zone, accompanied by a specific reconstruction fund. The draft protocol on the zone and the draft project on the fund are also linked to the critical draft projects on border security management in the peace and security cluster.

32. The revamping of the Economic Community of the Great Lakes Countries, an organization that has been dormant for several years, carries significant hope for the region, especially for its founding members, Burundi, the Democratic Republic of

the Congo and Rwanda. If successful, and there are regional and international signs that it might be, the revival and subsequent enlargement of the Community would constitute an important opportunity for development of the Great Lakes region through regional integration. It would also serve as a major instrument of economic cooperation and peacebuilding among countries of the region, which have been the most affected by interrelated conflicts.

33. Other key draft projects focus on transport infrastructure development. It is important to note that, owing to the size and cost of some of those projects, especially those involving infrastructure rehabilitation, there has been particular emphasis on the member countries providing their own seed funding, as well as searching for financial resources from the private sector, an initiative that should be encouraged.

Humanitarian and social issues

34. The emphasis in this cluster is to provide sustainable protection and assistance to the most vulnerable populations. There is a key draft protocol on the protection and assistance of the internally displaced persons, which, if adopted and implemented, would be the first legal document to enforce the guiding principles on internal displacement already proposed by my Special Representative on internally displaced persons. Another important draft protocol is on the prevention of sexual violence against women and children.

35. Other important draft projects aim at disaster preparedness and response, resuming the provision of basic social services and elaborating a coordinated approach to tackling dangerous infectious diseases such as HIV/AIDS through the two existing subregional initiatives.

Cross-cutting themes

36. Cross-cutting themes such as gender, HIV/AIDS, human rights, environment and human settlements are reflected in all four themes of the International Conference. Several separate consultations covering these subjects were organized in the course of the preparation of the draft programmes of action, protocols and projects. In addition, representatives for these five cross-cutting themes have been regularly participating in the process. More specifically, my representative has often met with representatives from the United Nations Development Fund for Women (UNIFEM), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) to assure that these issues are adequately integrated in the Dar-es-Salaam Declaration and the current draft documents that will form part of the future Security, Stability and Development Pact.

Follow-up mechanisms

37. The member countries of the International Conference have clearly underlined the need for the establishment of a regional follow-up institutional mechanism, under the collegial ownership of member countries of the International Conference on the Great Lakes region and supported by the United Nations and the African Union.

38. The current follow-up mechanism to the International Conference serves three main functions: (a) supervising and overseeing the implementation of the Security, Stability and Development Pact in its different components; (b) carrying out functions related to conflict prevention, management and peaceful settlement of conflicts; and (c) keeping close links with high-level regional and international institutions related to the themes of the Conference and to issues in the Great Lakes region. It is composed of three main organs: the Summit of Heads of State and Government of the International Conference; the Inter-Ministerial Committee; and the regional Conference secretariat.

39. The Summit of Heads of State and Government would be the supreme organ and the main decision-making body of the International Conference. Its chairmanship would rotate among the participating member countries. Its Chair would play a role in conflict prevention and crisis management activities and would maintain relations with international organizations, non-member States and all other partners on behalf of the Conference. It would be held once every two years with the possibility of holding an extraordinary session if the Heads of State deem it necessary, particularly in the initial stages.

40. The Inter-Ministerial Committee would be the executive organ of the Conference and would determine implementation strategies and carry out regular monitoring of the implementation process. Based on the nature of the issues to be discussed, other Ministers could be invited to attend the meetings of the Inter-Ministerial Conference, which would be held twice a year.

41. The regional Conference secretariat, comprising officials from member countries of the International Conference, in the spirit of regional ownership of the process, would constitute the technical arm and coordinating body of the Conference and be headed by a director-general or an executive secretary.

42. In addition, each member country would establish a national Conference coordination mechanism that would maintain contact with the Conference secretariat and would ensure the participation of the various social actors in the implementation of the plan of action of the International Conference.

43. The Group of Friends of the Great Lakes Region and the other partners have been invited to continue their support to the Conference and to contribute to the establishment of the regional secretariat.

44. The Joint United Nations-African Union secretariat should remain in place for a limited period after the signing of the Security, Stability and Development Pact and should assist the conference regional secretariat to initiate the implementation of the Pact.

V. The benefits of the International Conference

45. As shown in the above section on the draft Security, Stability and Development Pact, most of the draft protocols and projects selected within the framework of the International Conference, address the root causes of insecurity, conflicts, war and instability in the Great Lakes region. If adopted and implemented, they would contribute to transform the whole region into a space of sustainable peace, security, stability and development.

46. Even at this stage, prior to the adoption of the Pact, significant benefits have been noticed. In a region rife with tensions, the Conference process has contributed to maintaining open lines of communication among the parties at all levels. It has helped to build much-needed confidence in areas where mutual suspicion has been the norm. Moreover, the Dar-es-Salaam Declaration is a landmark document, entailing far-reaching commitments that are being followed up and built upon as the Conference proceeds. Together with the proposed Pact, when adopted and implemented, the provisions contained in both documents would provide an inclusive framework for durable peace and economic and social development throughout the region, addressing these matters in an integrated manner.

A careful selection of initiatives which address regional needs

47. The draft protocols and projects slated for adoption in Nairobi have been the subject of prioritization and can be divided into two categories. The first pertains to those which are related to existing mechanisms covering part of the Great Lakes region. In order to avoid duplication, the member countries of the International Conference have decided to request that the existing mechanisms be put in charge of the implementation of those draft protocols or projects. This is mainly the case in the cluster of economic development and regional integration. This approach is in accordance with the Dar-es-Salaam Declaration, which calls for the promotion of common policies to harmonize and implement existing agreements and mechanisms.

48. The second category of draft projects and protocols is aimed at filling voids at the regional level. This is mainly the case, for example, in the peace and security cluster, the democracy and good governance cluster and the humanitarian and social issues cluster. This is in accordance with the call in the Dar-es-Salaam Declaration for the establishment of an effective regional security framework, initiatives on prevention, management and peaceful settlement of conflicts, including the adoption of non-aggression and common defence pacts as well as the strengthening of cooperation in the area of defence and security at common borders, with the view to enhancing good neighbourliness and multisectoral cooperation.

49. Most of the protocols and projects are interlinked in substance as well as in their modalities for implementation, in accordance with the regional vision, articulated in the Dar-es-Salaam Declaration, for the promotion of sustainable peace, security, democracy and development. The linkages between and within clusters illustrate the pertinence of the human security approach.

An integrated and inclusive process

50. As mentioned above, in addition to the representatives of Governments, key non-State stakeholders from the region have also been involved in the Conference, including women, youth and civil society organizations. In keeping with this spirit, the drafting of the protocols and projects also involved other actors, notably African subregional organizations. Six subregional organizations, the Common Market of Eastern and Southern Africa, the East African Community, the Economic Community of the Great Lakes Countries, the Economic Community of Central African States, the Southern African Development Community and the Intergovernmental Authority on Development, have pledged their support to the process and have been attending most of the regional meetings. The same is true of the New Partnership for Africa's Development. Their continued involvement in the

planning and implementation of the Security, Stability and Development Pact, where they will have a leading coordination role, will be of critical importance.

51. With regard to the partnership between the region and the United Nations, relevant departments, agencies, funds and programmes have continued to provide technical advice. Four United Nations entities have been assigned the role of facilitators of the four clusters: the Department for Political Affairs; the United Nations Development Programme (UNDP); the Economic Commission for Africa and the Office for the Coordination of Humanitarian Affairs. Each entity has mobilized and coordinated the inputs of the various United Nations agencies in its area of expertise towards the technical preparation of the draft protocols and projects. These inputs were in various forms and included data collection, provision of financial and human resources, expert advice, sensitization and advocacy and support at the country level. It should also be mentioned that, throughout the process, UNDP managed the multidonor Trust Fund of the Group of Friends of the Great Lakes Region, which funded most of the preparatory meetings.

52. Active cooperation with the United Nations Mission in the Democratic Republic of the Congo (MONUC) and the United Nations Operation in Burundi (ONUB) has existed from the outset, with representatives of the two peacekeeping missions regularly attending the regional meetings of the International Conference. The role of MONUC cannot be overemphasized as most of the draft protocols and projects have the Democratic Republic of the Congo as a central element. This cooperation should be continued and enhanced to ensure that the implementation of several draft projects, namely in the field of peace and security, takes into account MONUC's concerns and expertise and is in synergy with the activities planned or already on the ground in the Democratic Republic of the Congo.

53. Another crucial aspect of the inclusive approach of the International Conference process is the involvement of the international development partners. The Group of Friends of the Great Lakes Region has been involved in the Conference process since December 2003. It has provided strong political, financial and technical support to the International Conference, not only during the first phase leading to the Dar-es-Salaam Summit, but also, and even more, during this current phase. This includes, in particular, the active participation of their experts and co-chairs in the work of the technical thematic task force, the Regional Preparatory Committee and the Regional Inter-Ministerial Committee. The co-chairs of the Group of Friends, Canada and the Netherlands, on behalf of the larger group of countries and multilateral organizations, have also held regular consultations with the member countries of the Conference, as well as with the joint secretariat. The financial contribution of the Group of Friends has been critical to the success of the Conference since it has provided most of the funds for the preparatory meetings. I would like to use this opportunity to once again express my gratitude to the members of the Group of Friends for their solid and continuous support to the process and to encourage their continued assistance.

VI. The postponement of the Nairobi Summit and its implications

54. The request by the Government of the Democratic Republic of the Congo to postpone the Nairobi Summit, initially scheduled to take place on 15 and

16 December 2005, was motivated by two factors. It coincided with the national referendum on the draft Constitution which took place on 18 and 19 December 2005, and with the indication by the authorities of the Democratic Republic of the Congo that they favoured the holding of the International Conference following the conclusion of the transitional process in the country, which is expected to end on 30 June 2006.

55. The postponement of the Nairobi Summit clearly had a negative impact on the process. It has heightened the risk of a loss of the momentum achieved so far. In addition, new negative events in the region could render the Conference process more fragile and some may interpret the postponement of the Summit as a sign of a lack of commitment to the process. Finally, the delay will necessitate unforeseen budget adjustments.

56. Nevertheless, the postponement of the Nairobi Summit gives additional time for the fine-tuning of all the documents; enhanced communication, sensitization and resource mobilization campaigns; increased involvement of important stakeholders from civil society, women, youth, parliamentarians and private sector in the preparation of the implementation phase of the International Conference; and more substantial and meticulous preparation of the follow-up mechanism. The political authorities of the core countries should also use the additional time to further select and prioritize the number and content of the draft protocols and projects with more realism and pragmatism.

57. In order to maintain the momentum and to enhance the visibility of the International Conference up to and until the holding of the second Summit, the national coordinators, at their last meeting in Nairobi on 7 November 2005, agreed on the holding, during the first half of 2006, of additional regional consultations with: legal and financial experts to fine tune the protocols and projects; parliamentarians, to ensure the support of the national legislative institutions, as they are the authorities that would in most cases need to ratify the proposed Pact, approve the budget for the implementation phase and disseminate the message to their constituents; the private sector, to bring in needed contributions to the financing and implementation of major projects, especially in the economic area; and civil society organizations, to ensure that their concerns are not forgotten by their Governments. Important political and diplomatic regional meetings of the national coordinators of the Regional Preparatory Committee and the Regional Inter-Ministerial Committee are also planned before the second Summit of the International Conference in Nairobi.

VII. Observations and recommendations

58. The postponement of the second Summit has affected the momentum reached in the Conference process. Every effort should be made by the countries of the region to ensure the convening of the Nairobi Summit as early as possible, to both maintain momentum and to build on the gains and achievements made thus far.

59. I encourage the members of the Security Council to convey a strong message of support for the International Conference on the Great Lakes Region and to urge member countries to renew their commitment to respecting the spirit and content of the Dar-es-Salaam Declaration and undertake every effort to hold the Nairobi Summit and sign the Security, Stability and Development Pact. It is also pressing

that a date for the second Summit be agreed upon and publicized rapidly since this will send a strong and much-needed signal that the process is still on track.

60. The International Conference has succeeded in reducing the initial number of draft protocols and projects by half. Although it can still be seen as too high, reducing it has been a complex and sensitive exercise among member countries of the International Conference, necessitating a number of compromises. In addition, I would like to stress that the countries of the region have made considerable efforts in priority setting following the meetings of Ministers for Foreign Affairs of the member countries of the International Conference process and their counterparts from the Group of Friends which took place in New York in September 2005.

61. Nevertheless, more prioritization should and could be done and this should be undertaken ahead of forthcoming regional meetings leading to the second Summit in Nairobi. There should also be a more accurate sequencing in the implementation of the draft protocols and projects. While the protocols are meant to legally bind the signatories on issues of principle such as non-aggression, fighting impunity, preventing the illegal exploitation of natural resources and protecting internally displaced persons through recognized regional legal instruments, projects have a concrete time frame and budget and can therefore be better sequenced, according to their urgency, importance and feasibility.

62. Public awareness of the International Conference also needs to be heightened. An improved information, communication and sensitization strategy needs to be elaborated and implemented at national, regional and international levels in order to mobilize support for the implementation of the draft Security, Stability and Development Pact.

63. In the same spirit, at their last meeting, the national coordinators proposed the appointment of two eminent persons as high-level goodwill ambassadors to support the Conference: one representing the region and the other the international community.

64. Finally, the International Conference process should be seen as a critical regional approach to peacebuilding. Following the establishment of the Peacebuilding Commission, the Conference represents an excellent opportunity for regional peacebuilding that should not be wasted. It would be regrettable to allow, at this late stage, loss of momentum after so many resources have been devoted to successfully bringing so many conflicting parties together. The adoption and the implementation of the proposed Security, Stability and Development Pact could potentially provide the peoples of the region with the durable peace and the economic and social development they greatly deserve.

65. It is crucial to ensure that there is an orderly transition in transferring the functions of the Joint African Union/United Nations secretariat to a regional mechanism after the conclusion of the second Summit. There is a clear relevance and nexus between the mandated activities of the International Conference and the principles, intent and goals enunciated by the Security Council in its resolution 1625 (2005) and the responsibilities devolved to me in paragraph 3 of that resolution. My Special Representative for the Great Lakes Region can play a valuable role in providing support for preventive diplomacy initiatives. In addition, he will continue to serve as a useful focal point for United Nations political activities, especially in the strengthening of cooperation between the United Nations and regional or

subregional organizations, pending the establishment of the Peacebuilding Commission and the application of its mandate to the conflict situations in the Great Lakes region.

66. I therefore count on the continuing support of the Security Council to the Office of my Special Representative for the Great Lakes Region for a further period of six months after the signing of the Security, Stability and Development Pact. At that time, I would undertake an assessment of the role of the United Nations in the implementation of the different provisions of the Pact.

67. I also take this opportunity to commend my Special Representative for the Great Lakes Region, and his team for all the work undertaken in preparation for the International Conference.

Annex I

Post-Dar-es-Salaam meetings for the elaboration of the draft programmes of action, protocols and projects

• 14-16 February 2005	First meeting of the Regional Preparatory Committee, Kigali
• 15-18 February 2005	First meeting of the Regional Inter-Ministerial Committee Ministers, Kigali
• 4-8 April 2005	First meeting of the technical thematic task force, Mombasa, Kenya
• 27 June-1 July 2005	Second meeting of the technical thematic task force, Nairobi
• 18-21 July 2005	Second meeting of the Regional Preparatory Committee, Lusaka
• 22-23 July 2005	Second meeting of the Regional Inter-Ministerial Committee, Lusaka
• 5-11 September 2005	Third meeting of the technical thematic task force, Nairobi
• 26-30 September 2005	Third meeting of the Regional Preparatory Committee, Luanda
• October 2005	Third meeting of the Regional Inter-Ministerial Committee did not take place owing to the postponement of the second summit

Annex II

Meetings held in 2006

Period	*Activity*	*Host country*
January 2006	Regional meeting of legal experts	Congo
30 and 31 January 2006	Meeting of the Regional Preparatory Committee	Kenya
February 2006	Meeting of Parliamentarians	Democratic Republic of the Congo
February 2006	Regional meeting of financial and budgetary experts	Uganda
	Meeting of the Regional Inter-Ministerial Committee preceded by a meeting of national coordinators	Central African Republic
March 2006	Meeting of regional economic communities	African Union Commission, Addis Ababa
April 2006	Meeting of the private sector	Zambia
April 2006	Meeting of national coordinators	To be determined
May 2006	Women, youth and civil society	Rwanda
	Media	Burundi
Period to be decided	Meeting of the Regional Inter-Ministerial Committee preceded by a meeting of the national coordinators	To be determined
Second half of July or first half of September 2006	Possibility of summit of Heads of State and Government [*to be confirmed*]	Kenya

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Question of Cyprus

Security Council
Sixty-first year

Letter dated 23 January 2006 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 20 January 2006 addressed to you by His Excellency Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus.

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

06-22164 (E) 260106

Annex to the letter dated 23 January 2006 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 10 November 2005 addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/60/554-S/2005/714), which yet again contains allegations of violations of the "airspace of the Republic of Cyprus" and of the "flight information region of Nicosia", and to bring to your kind attention the following:

In response to such false and pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. Furthermore, it should be emphasized that allegations of so-called violations of the flight information region or violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As stated in our previous letters, such allegations are based on the false and illegitimate claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This claim by the Greek Cypriot side is divorced from the existing realities in Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within and above its respective territory on the island.

Attempts by the Greek Cypriot representatives, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile as long as the Turkish Cypriot people refuse to bow to its writs. What would indeed be conducive to a better climate on the island would be for the Greek Cypriot side to stop arrogating onto itself the rights and responsibilities it does not legally have and to cease all hostilities towards the Turkish Cypriot people.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. Following the rejection by the Greek Cypriot side of the United Nations settlement plan last year, the international community in general, and the United Nations in particular, is expecting positive moves from the Greek Cypriot administration demonstrating its political will and sincerity for a fair and just settlement in Cyprus. As a first step, the Greek Cypriot administration without further delay, should heed your call and pronounce itself with "clarity" and "finality" on the question you have put to it.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus

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Security Council
Sixty-first year

Letter dated 24 January 2006 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 20 January 2006 addressed to you by His Excellency Mr. Abdullah Gül, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Turkey.

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

06-22176 (E) 260106

Annex to the letter dated 24 January 2006 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

The Turkish side has worked hard in the past in support of your efforts to achieve a just and lasting solution in Cyprus under the auspices of the United Nations. As you are aware, the Turkish Government fully and actively supported the process. The high percentage of Turkish Cypriot affirmative votes in the 24 April 2004 referendum is yet another testament to the dedication of the Turkish side to a comprehensive settlement.

History will certainly judge the party which has been responsible for the present impasse. However, we know that despite the setbacks, you remain fully engaged with this issue. Your leadership remains indispensable for the success of any effort towards a comprehensive settlement.

With this in mind, we have, in full coordination with the Turkish Cypriots, prepared a detailed action plan, which reflects our determination to move forward.

We believe that such an initiative has the potential to bring about a transitional process until a comprehensive settlement to the Cyprus question is found. We hope that you would support the proposed action plan, which is not a substitute for an overall settlement but aims at paving the way for it by laying the ground.

Your efforts for the adoption of the action plan could culminate in a high-level meeting under your auspices, which would not only put the final seal on the plan, but might also enable the parties to look into the possibility of reactivating the overall settlement process. At that stage the constructive contributions of other relevant parties would also be welcome. However, what is important now is to preserve the delicate balance in the action plan and not to overload it with new elements.

I must also particularly emphasize the following point: the proposals contained in the action plan and their subsequent implementation will in no way prejudice the respective legal and political positions of the parties vis-à-vis the Cyprus issue.

Your support for this initiative will be highly appreciated.

(*Signed*) Abdullah **Gül**
Deputy Prime Minister and Minister for Foreign Affairs

ACTION PLAN ON LIFTING OF RESTRICTIONS IN CYPRUS

The UN Secretary General is kindly invited to consider holding consultations with the parties concerned with a view to implementing the Action Plan, the principal elements of which are outlined herebelow:

1. Opening of the sea ports of Turkey to Greek Cypriot vessels serving the trade of goods in accordance with the EC-Turkey Customs Union.

2. Allowing Greek Cypriot air carriers to use the Turkish air space for over-flights and to land at the Turkish airports in accordance with relevant international rules and procedures.

3. Opening of the ports in North Cyprus, including Gazimagosa, Girne, and Gemikonağı to international traffic of goods, persons and services under Turkish Cypriot management.

4. Opening of Ercan airport for direct flights under the Turkish Cypriot management.

5. Special arrangements for the practical inclusion of North Cyprus, as an economic entity, into the European Union's customs union. Unhindered direct trade between both sides of the Island as well as with the outside world.

6. Participation of the Turkish Cypriot side in international sports, cultural and other social activities.

The following procedural steps can be taken for the implementation:

7. A high level meeting is to be convened no later than May/June 2006 under the auspices of the UN with the participation of Turkey, Greece, the Turkish Cypriot side and the Greek Cypriot side with a view to finalizing the draft action plan which will be implemented as an integrated whole within an agreed time frame.

8. The action plan and outcome of the meeting are to be submitted by the UNSG to the UN Security Council. The UNSG may wish to establish a mechanism to keep the implementation of the plan under review, with a view to regularly reporting any development to the Security Council.

9. The assistance, particularly to the Turkish Cypriot side, of the UN and the EU Commission will help facilitate the implementation of the proposed measures.

10. The action plan will, in no way, prejudice legal and political positions of the parties concerned. It is aimed at bringing about an environment of cooperation and mutual trust with a comprehensive settlement perspective to the Cyprus issue.

In this respect, Turkey remains committed to the efforts to achieve a comprehensive settlement of the Cyprus problem within the framework of UN Secretary-General's mission of good offices and on the basis of the UNSG's settlement plan. Turkey earnestly hopes that an agreement on the comprehensive settlement will be reached in 2006.

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Report of the Secretary-General concerning the credentials of the deputy representative of the Russian Federation on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 23 January 2006 from the Permanent Mission of the Russian Federation to the United Nations stating that Igor N. Shcherbak has been appointed deputy representative of the Russian Federation on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

06-22247 (E) 250106

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Letter dated 26 January 2006 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith the communiqué of the meeting held in Abidjan on 18 January 2006 between the current Chairperson of the African Union, President Obasanjo of Nigeria, and the Ivorian authorities (see annex).

As you are aware, this communiqué has helped to restore calm to the country after days of demonstrations following the decision of the International Working Group not to extend the mandate of the National Assembly.

I should be grateful if would arrange for this letter and its annex to be issued as a document of the Security Council.

(*Signed*) Philippe **Djangone-Bi**
Ambassador
Permanent Representative

06-22440 (E) 260106 260106

Annex to the letter dated 26 January 2006 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

Communiqué

A meeting was held today, Wednesday, 18 January 2006, between the President of the Federal Republic of Nigeria, His Excellency Mr. Olusegun Obasanjo, current Chairperson of the African Union, and His Excellency Mr. Laurent Gbagbo, President of the Republic of Côte d'Ivoire.

In addition to the two Heads of State, the meeting was also attended by:

- The Prime Minister, Mr. Charles Konan Banny,
- The Special Representative of the Secretary-General of the United Nations, Mr. Pierre Schori,
- The Special Representative of the Mediator of the African Union, Mr. Silumko Sokupa,
- The Representative of the Executive Secretary of the Economic Community of West African States, Mr. Ralph Uwechue.

The meeting took note of paragraph 11 of resolution 1633 (2005) of the United Nations Security Council and of the end of the mandate of the National Assembly on 16 December 2005. The meeting also took note of the consultations between the President of the Republic and the Prime Minister on the subject of the National Assembly and decided as follows:

1. That the International Working Group does not have the authority to dissolve the National Assembly;

2. That the International Working Group did not dissolve the National Assembly at the conclusion of its meeting on 15 January 2006;

3. To invite the President of the Republic and the Prime Minister to continue their consultations with a view to reaching a political solution in the days ahead;

4. That this solution will be communicated to the nation and to the International Working Group;

5. That President Obasanjo, the President of the Republic and the Prime Minister should urge the population to get off the streets and return to their homes;

6. That the President of the Republic and the Prime Minister should call on the population throughout the national territory to return to work as of tomorrow, 19 January 2006.

The President of the Republic, the Prime Minister, the heads of national institutions and the Government wish to express their gratitude to President Obasanjo for his unwavering commitment to the resolution of the situation in Côte d'Ivoire.

Done in Abidjan, 18 January 2006